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St. Augustine Sketch

Sketch of the - Palace

ACTS
OF
THE GENERAL ASSEMBLY
OF
HER MAJESTY'S PROVINCE
OF
NEW BRUNSWICK,
PASSED IN THE YEAR
1839.



FREDERICTON:

PRINTED BY JOHN SIMPSON, PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY.

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ERRATA.

Page 6. Section VII. for "continue," read "commence."
 " 22. " II. for "strait," read "straight."
 " 95. for "Cap. LX." read "Cap. XL."

Anno Regni VICTORIÆ Britanniarum Reginae Secundo.

AT the General Assembly of the Province of New Brunswick begun and holden at Fredericton on the Twenty eighth Day of December, *Anno Domini* One thousand eight hundred and thirty seven, in the First year of the Reign of our Sovereign Lady Victoria, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, and from thence continued by several Prorogations to the Fifteenth Day of January one thousand eight hundred and thirty nine; being the Second Session of the Twelfth General Assembly convened in the said Province.



THE
ACTS
 OF
THE GENERAL ASSEMBLY, &c.

CAP. I.

An Act to amend the Laws now in force relating to the Militia in this Province.

Passed 21st February 1839.

I. **W**HEREAS it is expedient and necessary for the Militia service of this Province, that the Commander in Chief for the time being should have the power of forming the several Companies of Artillery and Sea Fencibles into separate and distinct Battalions, Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and immediately after the passing of this Act, the Lieutenant Governor and Commander in Chief for the time being in this Province, be and he is hereby authorized to form the said Companies of Artillery and Sea Fencibles into separate and distinct Battalions.

Companies of Artillery and Sea Fencibles may be formed into separate Battalions.

II. And be it further enacted, That the Non-Commissioned Officers and Privates of the said Corps respectively, and also the Non-Commissioned Officers and privates of any uniformed Company of Dragoons or Riflemen, who shall submit their names through their respective Commanding Officers to the Commander in Chief for the time being as Volunteers for actual service, shall be exempted from Draft by Ballot, and having so volunteered shall be liable to perform all duties required by the Commander in Chief, and shall be liable to all the pains and penalties imposed by Law on persons so drafted by ballot; and when called out into such actual service, the said Corps, or such portions thereof as may be required, shall be under the command of Officers belonging to their respective Corps, and shall be formed into Companies separate and distinct from persons drafted by Ballot as aforesaid.

Volunteers for actual service from Artillery, Sea Fencibles, Dragoons or Riflemen exempted from Draft by Ballot.

III. And be it further enacted, That in case any person belonging to either of the said Corps, whose name shall have been so submitted as aforesaid, shall refuse when called upon to perform any of the duties required of him, he shall be subject to a fine of ten pounds, and in case he neglect or refuse to pay the same, he shall be committed to the nearest County Gaol where he can be safely kept, by warrant under the hand of the Commanding Officer of the Battalion, Troop or Company to which he may belong, where he shall remain three Calendar months, or until he pay the said fine; and that after such refusal and payment of the said fine or suffering the said imprisonment, such person, in case of a Draft by Ballot, shall

Volunteers refusing to perform duties liable to a fine, and the Ballot in any subsequent Draft.

Proviso.

shall be liable and subject thereto, anything in this Act to the contrary notwithstanding: Provided always, that nothing in this Act shall extend or be construed to extend to exempt any of the said Artillery, Sea Fencibles, Dragoons or Rifle-men from the control and command of the commanding Officer of the Regiment or Draft to which they may be attached.

Act may be altered.

IV. And be it enacted, That this Act may be altered, amended or repealed, by any Act to be passed during the present Session of the General Assembly.

CAP. II.

An Act imposing Duties for raising a Revenue.

Passed 23d March 1839.

‘WE, Her Majesty’s dutiful and loyal Subjects, the Assembly of New Brunswick in General Assembly convened, for raising the necessary supplies to defray the expenses of Her Majesty’s Government within this Province, have freely resolved to give and grant to the Queen’s Most Excellent Majesty the several rates and duties in the Schedule hereinafter mentioned, and do therefore pray Your Excellency that it may be enacted;’

Duties granted for the use of the Province and support of the Government on articles specified in the Schedule.

I. And be it enacted by His Excellency the Lieutenant Governor, by and with the advice and consent of the Legislative Council and Assembly, and by the authority of the same, That on and after the first day of April which will be in this present year of our Lord one thousand eight hundred and thirty nine, there be and are hereby granted to the Queen’s Most Excellent Majesty, Her Heirs and Successors, for the use of this Province and for the support of the Government thereof, the several rates and duties inserted, described and set forth in figures in the Table of duties hereinafter contained, denominatd *Schedule of Articles subject to Duty, and Articles exempted from Duty*, opposite to and against the respective Articles in the said Table or Schedule mentioned, described and enumerated, and according to the value, number or quantity of such articles therein specified, whether imported or brought into this Province either by Sea, by inland navigation, or by Land, from any part of the British Empire, or from any port or place, or which may be saved from any wrecked or stranded Ship or Vessel.

Duties to be in addition to any Duties imposed by Acts of Parliament.

II. And be it further enacted, That the several duties hereinbefore imposed and in the said Table or Schedule mentioned, shall be paid by the importer or importers of such Articles respectively, and shall be held and taken to be in addition to and over and above any duties which are or may be imposed and collected by any Act or Acts of the Imperial Parliament, and shall be collected and secured by means and under the regulations and penalties, and shall be drawn back on exportation or warehoused in the way and manner provided by any Act or Acts of the General Assembly for collecting the Revenue of the Province.

Warehoused Goods on which Duties have not been secured to be liable to Duties imposed by this Act.

III. And be it further enacted, That all goods which shall have been warehoused in this Province before this Act comes into operation, and which shall remain so warehoused after the operation thereof commences, and on which the Provincial duties heretofore imposed have not been paid or secured by a subsisting or continuing security, shall in lieu of all former duties become liable to and be charged with Provincial duties hereby imposed on the like goods and merchandize, and shall be paid at the time of taking such goods and merchandize out of the warehouse.

Duties to be repaid or Warehouse Bond cancelled as to goods exported for the deep sea or whale fishery.

IV. And be it further enacted, That when any articles that shall have been warehoused, or on which duties shall have been paid under this or any other or previous Act, shall be exported for the use of the deep Sea or Whale Fisheries, the

the amount of such duties shall be repaid to the exporter by the Treasurer or Deputy Treasurer, or the Warehouse Bond cancelled, on affidavit (of the exporter) of the same having been so exported, for the use aforesaid.

V. And be it further enacted, That this Act shall continue and be in force Limitation. until the first day of April which will be in the year of our Lord one thousand eight hundred and forty.

Schedule of Articles subject to Duty, and Articles exempted from Duty.

			£.	s.	d.	Schedule of Articles liable to Duty.	
SPIRITS, <i>videlicet</i>,							
Brandy, per gallon,			0	2	0		
Rum, per gallon,			0	1	6		
Geneva, Gin or Hollands, per gallon,			0	1	6		
Whiskey, per gallon,			0	1	6		
Cordials, per gallon,			0	1	6		
Shrub, Santa, Lime Juice, per gallon,			0	0	6		
WINES, <i>videlicet</i>,							
On all wines imported direct from the place of growth and produce, per gallon,			0	1	6		
Otherwise imported, per gallon,			0	2	0		
SUGAR, <i>videlicet</i>,							
Muscovado or brown, per hundred weight,			0	2	6		
Loaf, Lump, or refined, per pound,			0	0	1		
DRIED FRUITS, per hundred weight,			0	5	0		
MOLASSES, per gallon,			0	0	1		
TOBACCO, Manufactured (except Snuff and Cigars) per pound,			0	0	0½		
Snuff and Cigars, for every £100 of the true and real value thereof,			5	0	0		
CATTLE.							
For and upon every foreign Horse,			3	10	0		
For and upon every foreign Ox,			1	0	0		
For and upon all other Foreign Horned Cattle,			3	10	0		
For and upon the following Foreign Manufactured Articles, when not imported from the United Kingdom, <i>videlicet</i> ,							
Chairs,			}	For every £100 of the true and real value thereof,	25	0	0
Clocks,							
Clock Cases,							
Clock Movements or Machinery,							
Watches,							
Household Furniture,							
Pictures,							
Mirrors,			}				
Looking Glasses.							
And for and upon all soap and candles, india rubber shoes, and all other Foreign Articles, manufactured or not manufactured, not otherwise charged with duty, nor hereinafter declared to be free of duty,			}	For every £100 of the true and real value thereof,	10	0	0

And

Schedule of arti-
cles liable to Duty,
Continued.

And for and upon all Articles, the manufac-
ture of the United Kingdom, imported or
brought into this Province, whether by sea or
inland carriage or navigation, or which may be
saved from any wrecked or stranded ship or
vessel, or not otherwise charged with duty, nor
hereinafter declared to be free of duty; also
all manufactures of silk or cotton, of the British
East India Possessions, pepper and all other
description of spices.

For every £100
of the true and
real value there-
of, 2 10 0

Colonial Leather and Malt Liquor, } For every £100 of the true
and real value thereof, 5 0 0

EXCEPTIONS

Articles exempted from Duty. To all Foreign Articles Manufactured or not Manufactured, *videlicet*,

Agricultural Implements, (Axes excepted.)
Bees Wax.
Bristles.
Books (printed) and Pamphlets.
Beans.
Bread.
Cotton Wool.
Cows.
Cordage.
Canvas.
Dye Woods.
Felt.
Flour and Meal of all kinds, (Buckwheat excepted.)
Grass seeds and all other kinds of seeds and plants.
Grain of all kinds.
Hay.
Hides.
Horsehair.
Horns.
Hemp.
Hops.
Indigo.
Iron.
India Rubber.
Lumber of all kinds.
Leaf Tobacco.
Lignum Vitæ.
Mahogany Logs, Boards and Veneers.
Meats, dried and salted.
Mill Saws.
Pitch.
Peas.
Rosin.
Rice.
Salt.

DUTY FREE.

Tea.

Tea.
Tar.
Turpentine.
Tallow.
Vinegar.

DUTY FREE.
Articles exempted
from Duty,
Continued.

To all articles the manufacture of the United Kingdom, *videlicet.*

Agricultural Implements.
Anchors.
Barley, Pot or Pearl.
Beef.
Bacon.
Books (printed) and Pamphlets.
Bread,
Bunting.
Bricks and Tiles.
Coals.
Copper, Bolt and Sheet.
Copper, Spikes and Nails.
Canvas.
Coal Tar.
Cordage.
Duck.
Felt, patent.
Fishing Nets.
Hooks, Lines and Twines.
Flour and Meal of all kinds.
Globes.
Iron, bolt, bar, square, pig or sheet.
Iron Block Bushes.
Lead, bar and sheet.
Mineral Salt and Salt of all kinds.
Malt.
Machinery for Mills or Steam Boats.
Mathematical and Musical Instruments of all kinds, and Philosophical
and Chemical Apparatus.
Hydraulic Engines.
Maps.
Oakum.
Pork.
Printing Paper.
Steel.
Spikes and Sheathing Nails.
Ship Tackle and Apparel.
Sheathing Paper.
Tin in Sheets and Blocks.
Zinc.

FREE DUTY.

CAP. III.

An Act to appropriate a part of the Public Revenue to the payment of the Ordinary Services of the Province.

Passed 23d March 1839.

I. **BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That there be allowed and paid out of the Treasury of the Province, for the services hereinafter mentioned, the following sums, to wit :

Chaplains. To the Chaplain of the Legislative Council in General Assembly the sum of twenty five pounds.

To the Chaplain of the House of Assembly the sum of twenty five pounds.

Sergeants at Arms. To the Sergeant at Arms attending the Council in General Assembly, the sum of twenty shillings *per diem*, during the present Session.

To the Sergeant at Arms attending the House of Assembly, the sum of twenty shillings *per diem*, during the present Session.

Clerks. To the Clerk of the Legislative Council, in General Assembly, the sum of two hundred pounds for his services during the present Session.

To the Clerk of the House of Assembly the sum of two hundred pounds for his services during the present Session.

Clerks' Assistants. To the Clerk Assistant of the Legislative Council, the sum of one hundred pounds for his services during the present Session.

To the Clerk Assistant of the House of Assembly, the sum of one hundred pounds for his services during the present Session.

Doorkeepers. To the Doorkeepers attending the Legislative Council and Assembly, the sum of twelve shillings and sixpence, *per diem*, during the present Session.

Messengers. To the Messengers attending the Legislative Council and Assembly, the sum of ten shillings, each, *per diem*, during the present Session.

Province Treasurer. To Beverley Robinson, Esquire, Province Treasurer, the sum of six hundred pounds for his services for the year one thousand eight hundred and thirty eight ;

Clerk. and the further sum of two hundred and fifty pounds to enable him to pay a Clerk for the same period.

Parish Schools. To His Excellency the Lieutenant Governor or Commander in Chief, a sum not exceeding seven thousand pounds, for the encouragement of Parish Schools, agreeably to a Law of this Province.

Light Houses. To the Commissioners of Light Houses in the Bay of Fundy, the following sums, to pay for services in the year one thousand eight hundred and thirty nine :

For the Keeper of the Light House on Gannet Rock and his assistant, the sum of one hundred and sixty five pounds ;

For the Keeper of the Light House on Point Leproe, the sum of one hundred pounds ;

For the Keeper of the Light House on Thrumb Cap, Quaco, the sum of one hundred pounds ;

The sum of six hundred pounds to defray the contingent expenses of the Gannet Rock, Point Leproe and Quaco Light Houses, for the year one thousand eight hundred and thirty nine ;

To the Keeper of the Light House on Partridge Island, the sum of one hundred pounds ;

For the Keeper of the Beacon Light House, the sum of one hundred pounds ;

The sum of two hundred and fifty pounds for contingent expenses of Light Houses at the entrance of the Harbour of Saint John, for the year one thousand eight hundred and thirty nine.

To the Commissioners of Machias, Seal Island, Campo Bello and Saint Andrews Harbour

Harbour Light Houses, the following sums to pay for the services for the year one thousand eight hundred and thirty nine : Light Houses,
Continued.

For the Keeper of the Light House on Campo Bello, the sum of one hundred and twenty pounds ;

For the Keeper of the Light House on Machias Seal Island, the sum of one hundred and thirty pounds ;

For the Keeper of the Light House in the Harbour of Saint Andrews, the sum of thirty pounds ;

The sum of five hundred and fifty pounds to defray the contingent expenses of the said Light Houses, for the year one thousand eight hundred and thirty nine.

To the Quarter Master General of the Militia Forces, the sum of fifty pounds for his services for the year one thousand eight hundred and thirty nine. Quarter Master
General.

To His Excellency the Lieutenant Governor or Commander in Chief, a sum not exceeding one hundred pounds, to be applied in rewarding persons for apprehending Deserters from Her Majesty's Land Forces within this Province: Provided always, that no greater sum than five pounds be paid for the apprehension of any one Deserter. Apprehension of
Deserters.

To the Master in Chancery appointed to carry Messages from the Legislative Council to the House of Assembly, the sum of fifty pounds. Master in Chan-
cery.

To D. W. Jack, Tide Surveyor at Saint Andrews, the sum of one hundred and fifty pounds, for his services from the first day of April, one thousand eight hundred and thirty eight, to the same period one thousand eight hundred and thirty nine. Tide Surveyor at
Saint Andrews.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of ninety one pounds five shillings, to enable the Province Treasurer to pay John Abrams for his services as Tide Waiter at Saint John, for the year one thousand eight hundred and thirty nine. Tide Waiter at
Saint John.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of seventy five pounds for the services of a Tide Surveyor at Miramichi, for the year one thousand eight hundred and thirty nine. Tide Surveyor at
Miramichi.

To B. C. Chaloner, Tide Surveyor at Saint John, for his services from the first day of May, one thousand eight hundred and thirty eight, to the same period, one thousand eight hundred and thirty nine, the sum of fifty pounds. Tide Surveyor at
Saint John.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of fifty pounds, in aid of individual subscription, to pay a Courier between Bathurst and Pokemouche *via* Shippegan, in Gloucester. Courier between
Bathurst and
Pokemouche.

To the Justices of the Peace for the County of Queens, the sum of thirty pounds to enable them to pay a Courier between Gagetown and the Nerepis, for the year one thousand eight hundred and thirty nine. Courier between
Gagetown and the
Nerepis.

To Beverley Robinson, Esquire, Province Treasurer, the sum of one hundred and fifty pounds, being for the services of a Tide Waiter or Messenger to the Treasury, for the year one thousand eight hundred and thirty nine. Tide Waiter or
Messenger to the
Treasury.

To His Excellency the Lieutenant Governor or Commander in Chief, a sum not exceeding five hundred pounds, to defray any expenses that may be incurred in the protection of the Provincial Revenue, for the year one thousand eight hundred and thirty nine. Protection of the
Revenue.

To the Justices of the Peace for the County of Westmorland, the sum of fifty pounds, to enable them to pay a Courier passing between Harvey and the Great Road leading from Dorchester to Saint John. Courier between
Harvey and the
Great Road.

To William Watts, the sum of ten pounds, for airing and taking care of the Province Hall. W. Watts.

To

Light Houses on
Cape Sable, Seal
Island and Brier
Island.

To the Commissioners of Light Houses in the Bay of Fundy, the sum of two hundred pounds, to be applied by them towards the support of Cape Sable, Seal Island, Light House; and also one hundred pounds towards the support of the Light House on Brier Island, in the Province of Nova Scotia, for the year one thousand eight hundred and thirty nine.

Courier between
Pokemouche and
Miramichi.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of fifty pounds, in aid of individual subscription, to pay a Courier passing between Pokemouche and Miramichi, in the Counties of Northumberland and Gloucester.

Destruction of
Bears.

To His Excellency the Lieutenant Governor or Commander in Chief, a sum not exceeding three hundred pounds, to encourage the destruction of Bears, agreeably to a Law of this Province.

Grammar Schools.

To His Excellency the Lieutenant Governor or Commander in Chief, the following sums, for Grammar Schools, in the year one thousand eight hundred and thirty nine:

For the Grammar School in the County of Westmorland, the sum of one hundred pounds;

For the Grammar School in Saint John; the sum of one hundred and fifty pounds;

For the Grammar School in King's County, the sum of one hundred pounds;

For the Grammar School in the County of Kent, the sum of one hundred pounds;

For the Grammar School in Queen's County, the sum of one hundred pounds;

For the Grammar School in the County of Charlotte, the sum of one hundred pounds;

For the Grammar School in the County of Sunbury, the sum of one hundred pounds;

For the Grammar School in the County of Northumberland, the sum of one hundred pounds;

For the Grammar School in the County of Gloucester, the sum of one hundred pounds;

For the Grammar School in the County of Carleton, the sum of one hundred pounds.

Messenger to the
Executive Council.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of forty pounds, to enable His Excellency to pay a Messenger to the Executive Council.

Provincial Secretary for Contin-
gencies of Office.

To the Honorable William F. Odell, Provincial Secretary, for defraying the expense of Stationery, Printing, Bookbinding, &c. for the Secretary's Office, for the Commissions of Oyer and Terminer and Gaol Delivery for the several Counties, and for Fuel and contingent expenses of the Office, for the year one thousand eight hundred and thirty seven, the sum of one hundred and five pounds, and the like sum of one hundred and five pounds for the year one thousand eight hundred and thirty eight.

Monies to be paid
by Warrant.

II. And be it enacted, That all the before mentioned sums of money shall be paid by the Treasurer of the Province, by Warrant of His Excellency the Lieutenant Governor or Commander in Chief for the time being, by and with the advice of Her Majesty's Executive Council, out of the monies in the Treasury or as payment may be made at the same.

CAP. IV.

An Act to appropriate a part of the Public Revenue for the services therein mentioned.

Passed 23d March 1839.

I. **B**E it enacted by the Lieutenant Governor, Legislative Council and Assembly, That there be allowed and paid out of the Treasury of this Province, the following sums, to wit:

To His Excellency the Lieutenant Governor, the sum of one thousand pounds, to be by His Excellency transmitted to Sir John Colborne, the Governor General, for the purpose of being distributed under the direction of the Governor General, towards relieving the immediate necessities of the loyal sufferers in the two Canadas. Relief of Loyal Sufferers in the two Canadas.

To the Governor and Trustees of the Madras School, the sum of five hundred pounds for the year one thousand eight hundred and thirty nine, towards the support of that institution. Madras Corporation.

To His Excellency the Lieutenant Governor or Commander in Chief, the following sums to pay meritorious old Soldiers of the Revolutionary War, and the widows of the same class of persons, in indigent circumstances: Soldiers of the Revolutionary War and their Widows.

To James Whitehead, the sum of twenty pounds.

To Jane M'Carthy, the widow of the late Samuel M'Carthy, the sum of ten pounds.

To Mary Banks, the widow of an officer of the Revolutionary War, the sum of twenty pounds.

To Angus M'Phee, the sum of ten pounds.

To Hezekiah Lyons, the sum of ten pounds.

To John Underwood, the sum of ten pounds.

To James Flint, the sum of ten pounds.

To Joseph Madgett, the sum of ten pounds.

To Isaac Adams, the sum of ten pounds.

To Enoch Groom, the sum of ten pounds.

To Dugald Clarke, the sum of ten pounds.

To Donald M'Donald, the sum of ten pounds.

To David Bruce, the sum of ten pounds.

To Gershom Bonnell, the sum of ten pounds.

To Michael Dennison, the sum of ten pounds.

To Holden Turner, the sum of ten pounds.

To John Baldwin, the sum of ten pounds.

To Ruth Baird, the sum of ten pounds.

To John Dunlap, the sum of ten pounds.

To Cornelius Ackerman, the sum of ten pounds.

To William M'Pherson, the sum of ten pounds.

To Alexander M'Kenzie, the sum of ten pounds.

To George Sinnett, the sum of ten pounds.

To Charity Ricketts, the sum of ten pounds.

To Thomas Ferguson, the sum of ten pounds.

To Patrick Van, the sum of ten pounds.

To the Sheriff of the County of Restigouche, the sum of ten pounds, to compensate him for expenses incurred in returning a Member of Assembly to represent the said County. Sheriff of Restigouche.

To Elizabeth Briscoe, the sum of twenty pounds, for teaching a School in Saint Andrews, for the year one thousand eight hundred and thirty eight. E. Briscoe.

- Infant School, St. John. To William H. Robinson, and the Committee of Management of the Infant School at Saint John, twenty five pounds in aid of individual subscription towards that institution.
- Free Female School in Fredericton. To Mrs. Isabella Hales, and the Committee of Management for the Free School at Fredericton, for the instruction of poor female children, the sum of twenty pounds, in aid of individual subscription towards the support of that institution.
- W. Watts. To William Watts, ten pounds, for his services as Crier or Usher in the Supreme Court for the ensuing year.
- Index to Laws. To John Gregory, ten pounds, to prepare an Index to the Laws of the present Session.
- M. Brannen. To Matthew Brannen, of the Secretary's Office, twenty five pounds, as a mark of approbation for his long and faithful services in that Office.
- E. Fairchild. To Elizabeth Fairchild, of the City of Saint John, the sum of twenty pounds, for her services as a Schoolmistress in the City of Saint John.
- Dr. G. P. Peters. To Doctor G. P. Peters, Surgeon to the Vaccine Institution, Central Board, Saint John, the sum of twenty pounds, for his services for one thousand eight hundred and thirty eight.
- Province Agent. To the Committee of Correspondence, such sum as will procure Bills of Exchange on London for two hundred pounds, sterling, to be remitted Henry Bliss, Esquire, Province Agent, for his services during the year one thousand eight hundred and thirty eight.
- Adjutant General. To the Adjutant General of the Militia Forces, the sum of seventy five pounds, for his services in the year one thousand eight hundred and thirty nine.
- Tide Waiter at Dalhousie. To His Excellency the Lieutenant Governor or Commander in Chief, the sum of thirty pounds, for a Tide Waiter at Dalhousie, in the County of Restigouche, for the year one thousand eight hundred and thirty nine.
- Mrs. Kennedy. To Mrs. Kennedy, widow of the late William Kennedy, of Saint Stephen, who faithfully served his Sovereign as a non-commissioned Officer during the Revolutionary War, ten pounds.
- Tide Waiter at Bathurst. To His Excellency the Lieutenant Governor or Commander in Chief, the sum of thirty pounds, for a Tidewaiter at Bathurst, in the County of Gloucester, for the year one thousand eight hundred and thirty nine.
- Free School, St. John. To the Justices of the Peace for the City and County of Saint John, one hundred and fifty pounds, towards the support of a Free School established in the said City, unconnected with the Madras Board.
- J. Simpson. To John Simpson, Queen's Printer, the sum of two hundred and seventy five pounds, for printing the Daily Journals of the Legislative Council and Assembly, during the present Session.
- To John Simpson, Queen's Printer, the sum of one hundred and fifty pounds towards printing the Journals of the Legislative Council and Assembly during the present Session.
- To John Simpson, Queen's Printer, the sum of one hundred and fifty pounds towards printing the Laws of the present Session.
- B. C. Chaloner. To B. C. Chaloner, Guager and Weigher at Saint John, the sum of two hundred pounds, being in full for his services during the year one thousand eight hundred and thirty eight.
- Tide Waiter, Richibucto. To His Excellency the Lieutenant Governor or Commander in Chief, the sum of twenty pounds, for the service of a Tide Waiter at Richibucto, for one thousand eight hundred and thirty nine.
- Spaker and Members of Assembly. To the Speaker of the House of Assembly, the sum of one hundred and fifty pounds

pounds for the present Session ; and to each and every Member of the House of Assembly, the sum of twenty shillings *per diem*, during the present Session, provided that no greater amount than fifty pounds be drawn by any one Member for any such attendance ; also to each and every Member for travelling charges, the sum of twenty shillings *per diem*, for each day's travel, to be certified by the Speaker agreeably to a Law of the Province.

To Mary Ann Smith, for upwards of forty years a School Mistress at Saint John, the sum of twenty pounds, in consideration of her services in that capacity. M. A. Smith.

To Charity Williams, the sum of ten pounds, in consideration of her long and faithful services as a Teacher in the Parish of Fredericton. C. Williams.

To Deborah Ann Lugin, Widow of the late G. K. Lugin, many years King's Printer in this Province, the sum of twenty five pounds to assist her in her present destitute condition. D. A. Lugin.

To Beverley Robinson, Esquire, Province Treasurer, the sum of eighty eight pounds and five pence, being amount over advanced in the year one thousand eight hundred and thirty eight for the protection of the Revenue. Over advance for protection of the Revenue.

To Beverley Robinson, Esquire, Province Treasurer, the sum of one hundred and forty four pounds three shillings and four pence, being for office contingencies for the year one thousand eight hundred and thirty eight. Treasury contingencies.

To D. W. Jack, the sum of nineteen pounds fifteen shillings, being for guaging and weighing at Saint Andrews, in the year one thousand eight hundred and thirty eight. D. W. Jack.

To Robert Watson, the sum of one pound eighteen shillings, being for guaging and weighing at Saint Stephen, in the year one thousand eight hundred and thirty eight. R. Watson.

To Thomas Moses, the sum of three pounds eighteen shillings and six pence, being for guaging and weighing at West Isles, in the year one thousand eight hundred and thirty eight. T. Moses.

To His Excellency the Lieutenant Governor and Commander in Chief, the sum of four hundred and sixty five pounds, to pay the Provincial allowance to the Adjutants of the several Battalions of Militia in the Province, and the further sum of two hundred and thirty two pounds ten shillings to pay the Sergeant Majors of the same, during the past year. Adjutants and Sergeant Majors.

To His Excellency the Lieutenant Governor and Commander in Chief, a sum not exceeding one hundred pounds, to be applied towards the relief of the wives and children, now at Fredericton and Saint John, of such of Her Majesty's Troops recently ordered through this Province to resist the lawless invasion of the Canadas from the neighbouring frontier, as were precluded from taking their families with them. Relief of Wives and Children of Troops ordered to Canada.

To Theodosia E. Close, the sum of twenty pounds, for teaching a School in the Parish of Brunswick, County of Queen's, for one year ending first February one thousand eight hundred and thirty nine. T. E. Close.

To Samuel Grimshaw, the sum of ten pounds, for teaching a School in the Parish of Sussex, in King's County, for six months, ending the first day of May one thousand eight hundred and thirty seven. S. Grimshaw.

To William Bell, the sum of fifteen pounds, for teaching a School in the Parish of Sussex, for nine months, ending in June one thousand eight hundred and thirty eight. W. Bell.

To Her Majesty's Attorney General, for the year one thousand eight hundred and thirty seven, the sum of one hundred pounds, and the like sum for the year one thousand eight hundred and thirty eight. Attorney General.

To

- Solicitor General. To Her Majesty's Solicitor General, for the year one thousand eight hundred and thirty seven, the sum of fifty pounds, and the like sum for the year one thousand eight hundred and thirty eight.
- Clerk of the Crown, Supreme Court. To the Clerk of the Crown in the Supreme Court, for the year one thousand eight hundred and thirty seven, the sum of one hundred pounds, and the like sum for the year one thousand eight hundred and thirty eight.
- J. M'Carthy. To John M'Carthy, the sum of ten pounds, for teaching a School in the Parish of Kingston, for six months, ending twelfth June one thousand eight hundred and thirty eight.
- J. Prince. To Joseph Prince, the sum of twenty pounds, for teaching a School in Dorchester, County of Westmorland, for one year, ending thirteenth day of November one thousand eight hundred and thirty four.
- Sub-Collector and Deputy Treasurer at Woodstock. To His Excellency the Lieutenant Governor, the sum of one hundred pounds, to pay a Sub-Collector and Deputy Treasurer at Woodstock in the County of Carleton, the duties of both offices to be performed by one officer, this to be in addition to the allowance allowed to Deputy Treasurers by Law.
- G. Knillands. To George Knillands, the sum of fifteen pounds, for teaching a School in the Parish of Portland, County of Saint John, for nine months, ending the first day of October one thousand eight hundred and thirty four.
- Return of duty on Wines, &c. for Her Majesty's 65th Regiment. To Lieutenant Colonel Senior, commanding Her Majesty's sixty fifth Regiment, the sum of fifty two pounds four shillings, being a return of duty on Wines, &c. consumed by the Officers of that Regiment during the time they were stationed in this Province.
- Return of duty on Wines, &c. for Her Majesty's XI. Regiment. To Isaac Richardson, Major of the eleventh Regiment, the sum of fifty pounds thirteen shillings and ten pence, being a return of duties on Wines, &c. consumed by the officers of that Regiment during the time they were stationed in this Province.
- Return duties on Wines, &c. for Her Majesty's 36th Regiment. To Lieutenant Colonel Maxwell, of Her Majesty's thirty sixth Regiment, the sum of thirty pounds sixteen shillings and three pence, being a return of duties on Wines, &c. consumed by the officers of that Regiment during the time they were stationed in this Province.
- S. Clarke, Excess of Head Money. To Samuel Clarke, the sum of eleven pounds five shillings being for an excess of head money paid on forty five passengers, at the Treasury, Saint John, in June one thousand eight hundred and thirty seven, per ship Lord John Russell, from Waterford, to be taken from the Emigrant Fund.
- R. Rankin & Co. Excess of Head Money. To Robert Rankin and Company, of Saint John, the sum of seven pounds five shillings, being for an excess of head money paid on passengers, per Brig Leslie Gault, from Londonderry in May last, at the Provincial Treasury, to be taken from the Emigrant Fund.
- J. Pendleberry. To John Pendleberry, the sum of sixteen pounds to remunerate him for expenses of erecting a building on Machias Seal Island.
- James Petrie, for extra services when employed on Saint Paul's Island. To the Commissioners for the relief of shipwrecked mariners at Saint Paul's Island, the sum of thirty pounds, to remunerate James Petrie for extra service rendered by him while employed as superintendent of the humane establishment on said Island, for six years at a small salary, and for expenses incurred by him in returning to Miramichi when superseded, the Commissioners being bound by their agreement to provide for his return.
- J. Wilkinson, division line between King's and Queen's. To His Excellency the Lieutenant Governor, the sum of two hundred and thirty eight pounds five shillings and eleven pence, being the balance of expenses incurred in surveying and marking out a certain division line between King's and Queen's Counties, the same to be paid to John Wilkinson, Deputy Surveyor who performed the service.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of twenty pounds two shillings, being for the expenses incurred for exploring a road through the Williamstown settlement, up to the River des Chutes; the same to be paid to James Ketchum who performed the service.

J. Ketchum,
Exploration.

To Mark Needham, one of the Firewards of Fredericton, the sum of five pounds eight shillings, being return duties on a fire engine, &c. imported for the use of the Town of Fredericton.

Return of duty on
a Fire Engine for
Fredericton.

To William Watts, the sum of ten pounds, being for his services in attending the Court of Chancery for the past year.

W. Watts.

To the Justices of the Peace for the County of Charlotte, the sum of six hundred pounds, towards the erection of a new Court House in that County.

Court House,
Charlotte County.

To James Reynolds, Keeper of the public ferry at Indian Town, Parish of Portland, County of Saint John, the sum of twenty pounds, towards remunerating him for keeping the said Ferry the last year, for the reasons stated in his Petition, and for transporting the daily mails on the route to Fredericton.

J. Reynolds,
Ferry at Indian
Town.

To His Excellency the Lieutenant Governor the sum of nine hundred and forty eight pounds to enable the Commissioner to pay the balance due on the contract for the Cocagne Bridge.

Cocagne Bridge.

To His Excellency the Lieutenant Governor, the sum of fourteen pounds fifteen shillings, to defray the expenses incurred by the Commissioner for an exploration from Sackville to the Nova Scotia Line.

Exploration from
Sackville to the
Nova Scotia Line.

To the Justices of the Peace for the City and County of Saint John, the sum of nine hundred and thirty five pounds one shilling and seven pence, to reimburse the Overseers of the Poor for expenses incurred during the year one thousand eight hundred and thirty eight, in the support of the temporary Provincial Lunatic Asylum, established in the said City.

Temporary Luna-
tic Asylum, Saint
John.

To James Brown, Junior, of Saint David, in the County of Charlotte, the sum of thirty pounds, for the remuneration for time and expenses connected with the inspection of the Royal Road.

J. Brown, Junior,

To the Justices of the Peace for the City and County of Saint John, the sum of fifty two pounds two shillings and eight pence, to reimburse the Overseers of the Poor for the Parish of Portland for expenses incurred in one thousand eight hundred and thirty eight, towards the support and relief of indigent and distressed Black Refugees.

Black Refugees,
Saint John.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of three hundred pounds, for the purpose of remunerating Doctor A. Gesner, for making a partial Geological Survey of a part of the Province, the same being in addition to two hundred pounds granted towards this service at the last Session of the Legislature.

Geological Sur-
vey.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of two hundred and sixty one pounds fifteen shillings, being amount of expenses incurred in procuring a practical exploration of the River Saint John, from Fredericton to the Grand Falls.

Exploration of the
River Saint John.

To Levi Weston, the sum of twenty one pounds eight shillings for services by him performed in the winters of one thousand eight hundred and thirty seven and one thousand eight hundred and thirty eight, as a Vaccinating Surgeon, under the direction of a Committee of the Board of Health, for the County of Charlotte, at Saint Stephen; also to Samuel Bayard, nine pounds twelve shillings, for like services under the like direction; also twenty five pounds eighteen shillings and nine pence, to William Coulter, for like services under the like direction.

L. Weston, S.
Bayard, W. Coul-
ter, for services in
vaccinating in
Charlotte County.

To James M'Indoe, an old and faithful servant of this House, the sum of twenty pounds, to relieve him in his present distressed circumstances.

To

R. Coltart.

To Richard Coltart, of the County of Northumberland, the sum of thirty five pounds, to remunerate him for loss sustained in the performance of Road Contracts, the same to be taken from the Great Road grant from Fredericton to Newcastle.

Fredericton and Woodstock Stage Coach Company.

To the President and Directors of the Fredericton and Woodstock Stage Coach Company, the sum of two hundred pounds, to enable them to keep up the efficient establishment on that route.

Provincial Contingencies.

To His Excellency the Lieutenant Governor or Commander in Chief, a sum not exceeding one thousand pounds for Provincial Contingencies.

Equipment of Volunteer Dragoons.

To His Excellency the Lieutenant Governor or Commander in Chief, such sum as will procure Bills of Exchange on London for five hundred pounds, sterling, to enable his Excellency to procure such Saddlery as may be deemed requisite for the equipment of Volunteer Dragoons employed in the Provincial service.

Ferryman at the Jemseg and Washademoac.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of thirty pounds, to enable him to remunerate a licenced Ferryman at the Jemseg and Washademoac, for his services in facilitating the passage of the Mails across the said places, during the year one thousand eight hundred and thirty nine.

J. M'Lauchlan.

To John M'Lauchlan, a licenced Teacher, the sum of twenty pounds, for teaching a School in Fredericton, ending in October one thousand eight hundred and thirty six.

F. J. Earls.

To Frances Jemima Earls, a licenced Schoolmistress, the sum of fifteen pounds, being for her services in teaching a School in the Parish of Woodstock, County of Carleton, for nine months, ending first day of March, one thousand eight hundred and thirty nine.

J. Gilchrist.

To James Gilchrist, the sum of ten pounds, for teaching a School for the education of poor Blacks, in the Lake George Settlement, for the period ending the first day of July one thousand eight hundred and thirty eight.

L. E. Barry.

To Lydia E. Barry, the sum of fifteen pounds, being for her services in teaching a School for nine months, ending first day of February one thousand eight hundred and thirty nine, in the Parish of Saint Martin's, County of Saint John, it appearing her licence did not issue in consequence of her certificate not having been forwarded by the Board of Education.

W. Corry, in aid of publishing a Spelling Book.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of forty pounds, to be paid to William Corry, of Westfield, King's County, to aid him in publishing a Spelling Book, compiled by him for the use of the Schools in this Province, the said sum to be paid to him as soon as it shall be certified to the satisfaction of His Excellency the Lieutenant Governor that an edition of at least one thousand copies of the said Spelling Book has been published.

J. Sevewright, Grammar School at Newcastle.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of fifty pounds, in aid of the Grammar School presently taught at Newcastle, in the County of Northumberland, by John Sevewright, to whom the same shall be paid, in part of his salary for teaching said school the present year, on its being certified to His Excellency the Lieutenant Governor, by the Reverend James Souter and William Abrams, Esquire, that the same is due to the said John Sevewright for such services.

B. M'Donald.

To Bridget M'Donald, whose husband came to his death in assisting Her Majesty's Troops in their march to Quebec, the sum of ten pounds to assist her in her present destitute circumstances.

Crookshank and Walker, drawback on Wine.

To Crookshank and Walker, of Saint John, the sum of eleven pounds seven shillings, being for drawback on two casks of Wine exported to Boston in the Schooner Catharine, in May one thousand eight hundred and thirty six. To

To Crookshank and Walker, the sum of six pounds three shillings and three pence, being for drawback on one cask of Wine exported to Jamaica, by the Brig Africa, in September one thousand eight hundred and thirty seven.

To George F. S. Berton, Esquire, Barrister at Law, the sum of two hundred and fifty pounds, being an additional grant in full for his services in revising in so highly creditable and satisfactory a manner the new edition of the Province Laws. Revised edition of Laws.

To His Excellency the Lieutenant Governor or Commander in Chief, a sum not exceeding two hundred and fifty pounds, to enable his Excellency to employ a competent person for the present year to continue the Geological survey and exploration of the Province already commenced. Geological Survey.

To John B. Terrio, the sum of twenty pounds, in aid of an Oat Mill. J. B. Terrio.

To the President and Directors of the Saint Andrews and Saint John Stage Coach Company, the sum of one hundred pounds, to enable them to continue their highly efficient establishment on the Great Road between Saint Andrews and Saint John. Saint Andrews and Saint John Stage Coach Company.

The sum of ten pounds granted last Session to James Ross, an old Soldier of the Revolutionary War, to be reappropriated, and the same to be granted to Charles M'Pherson, who advanced the money to the said Ross immediately after the grant was made, but was unable to obtain the order on the Treasury in consequence of the death of the said Ross. C. M'Pherson, for J. Ross.

To the Harvey Royal Mail Coach Company, the sum of one hundred pounds, to enable them to continue running the said Coach. Harvey Royal Mail Coach Company.

To the Victoria Line Company, the sum of one hundred pounds, to enable them to continue running the said Coach from Saint John to Dorchester. Victoria Line Company.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of one hundred pounds, for James Tupper, for establishing a Mail Coach to run between Woodstock and the Grand Falls, County of Carleton. J. Tupper, for Mail Coach between Woodstock and the Grand Falls.

The sum of one hundred and twenty five pounds in the hands of the Commissioners for improving the harbour of Quaco, to be reappropriated, and to be granted to His Excellency the Lieutenant Governor or Commander in Chief, that amount to be applied in the following manner : Reappropriation of grant for Quaco Harbour.

Seventy five pounds for cutting down or avoiding by a better route, the hill on the south side of Vaughan's Creek ;

Fifty pounds for the improvement of the Road in that Settlement, from the eastern line of John Fownes' to Melvin's beach.

To His Excellency the Lieutenant Governor or Commander in Chief for the time being, annually, for the next two years, the sum of one hundred and fifty pounds, in aid of establishing a line of Stages between Fredericton and Newcastle, Miramichi, to be paid annually by warrant on the Provincial Treasurer, under the hand and seal of His Excellency the Lieutenant Governor to such person or persons as shall be appointed to run such stage or stages, by two or more Commissioners, (to be appointed by His Excellency the Lieutenant Governor, who is hereby authorized to make such appointments,) on its being certified to His Excellency the Lieutenant Governor or Commander in Chief for the time being, by such Commissioners, or the major part of them, that the person or persons who shall be so appointed by such Commissioners as aforesaid, to run such stage or stages, have well and faithfully performed that duty, and run a good, safe and commodious stage or stages, well adapted for the accommodation of travellers, once a week, that is to say, going to Fredericton, and returning to Newcastle, Miramichi, within the week, during the year, for which such Commissioners shall so certify Stage between Fredericton and Newcastle.

certify as aforesaid, unless prevented by the badness of the Road, or unavoidable accidents, and that the person or persons so employed and running such stage or stages, have not less than two changes of good horses on the road.

Courier between
Saint John and
Saint Martin's.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of thirty pounds, in aid of individual subscription to pay a Courier between Saint John and Saint Martin's.

W. Hanington,
Bridge over Buc-
touche River.

To William Hanington, Contractor for the Bridge over the Buctouche River, the sum of two hundred and fifty pounds, towards the loss he has sustained in faithfully executing his contract; it appearing that he was obliged to put up three additional abutments, and to extend the Bridge upwards of one hundred feet beyond the length stipulated by said contract, and, further, that the channel of the river was upwards of seven feet deeper than the plan submitted to him when he undertook the work.

D. and P. Hat-
field, drawback on
Whiskey.

To David and Peter Hatfield, the sum of forty four pounds fourteen shillings, being for drawback on five puncheons of Whiskey, exported on board Schooner Isabella Anna, to Sierre Leone, in August in the year one thousand eight hundred and thirty eight.

Removal of Rock
at West Head.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of forty pounds, to be appropriated to the removal of a part of the rock at West Head, at the mouth of the River Saint John.

Index to Journals
of Assembly.

To the Clerk of the House of Assembly, the sum of two hundred and fifty pounds, for preparing an Index to the Journals of the House, from the year one thousand seven hundred and eighty six, a period of ten years; this completing the work.

D. Hay.

To Duncan Hay, of Caraquet, the sum of twelve pounds sixteen shillings and six pence, being the amount of duties exacted from him at the Custom House, Bathurst, in consequence of a mistake in his clearance.

L. Pickett.

To Lewis Pickett, the sum of ten pounds, to enable him to rebuild an Oat Kiln, the former one having been destroyed by fire.

Breakwater, Saint
John.

To the Mayor, Aldermen and Commonalty of the City of Saint John, the sum of five hundred pounds, towards the expenses incurred and to be incurred by them, in the extension of the Breakwater, for the preservation of the harbour of Saint John.

R. Foulis.

To Robert Foulis, of Saint John, the sum of fifty pounds, as an encouragement for him to continue the School of Arts which he has established at Saint John.

Gaol in York
County.

To the Justices of the Peace for the County of York, the sum of one thousand pounds, towards the erection of a Gaol in the said County.

J. Bradley and
others, Stages be-
tween Saint John
and Fredericton.

To J. Bradley, Thomas Corrigan and associates, proprietors of the line of Stages between Saint John and Fredericton, the sum of one hundred pounds, towards compensating them for the expenses they have incurred in maintaining their highly useful and efficient establishment on that route.

R. F. Hazen, Es-
quire, apprehen-
sion of Deserters.

To R. F. Hazen, Esquire, Mayor of Saint John, the sum of twelve pounds three shillings and two pence, to remunerate him for expenses incurred in assisting Her Majesty's Land Forces in searching for and apprehending Deserters.

Wharf at Regent
Street, Frederic-
ton.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of seventy five pounds, to enable him to compensate M^rPherson and Coy, F. W. Hatheway and Spafford Barker, to aid them in the erection of a public Wharf, at Regent street landing, in Fredericton, in aid of individual subscription.

C. Stockwell and
others, Stages be-
tween Saint John
and Fredericton.

To Cyrus Stockwell, James Hewitt and H. Gould, the sum of fifty pounds, to aid them in running a line of Stages between Saint John and Fredericton.

To

To Hugh Allen, late master of the Grammar School, in the County of Westmorland, the sum of fifty pounds, in full for compensation for his services agreeably to the certificate and recommendation of the Trustees.

Hugh Allen.

To Thomas Wyer, Harris Hatch, Samuel Frye and John M'Lachlan, late Trustees of the Charlotte County Savings' Bank, the sum of seven hundred and two pounds twelve shillings and five pence, to remunerate them for losses sustained by the failure and defalcation of the Cashier of the said Bank.

Late Trustees of the Charlotte County Savings Bank.

To the Board of Health for the City and County of Saint John, the sum of three hundred and twenty seven pounds ten shillings and six pence, to reimburse them for obligations they have undertaken to Medical gentlemen in arresting the progress of Small Pox in the said City and County, and for the preservation of the public health.

Board of Health, Saint John.

To David M'Almon, of Richibucto, in Kent, the sum of ninety three pounds two shillings and four pence, to remunerate him for damages and costs by him paid in an action brought against him for acts done in the execution of his duty as an officer of the Militia.

D. M'Almon.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of ten pounds to pay a Courier from Saint John to Quaco, in addition to the sum already granted.

Courier between Saint John and Quaco.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of fifty pounds, in aid of private subscription, for carrying the mail three times a week during the ensuing year, with a double sleigh or waggon, with two horses, for the accommodation of passengers between Saint Andrews and Saint Stephen.

Stages between Saint Andrews and Saint Stephen.

To Her Majesty's Justices of the Peace of the County of Gloucester, the sum of one hundred pounds, to assist in paying off a debt due by the said County.

Gloucester County debt.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of one hundred pounds, towards erecting a public Wharf within the harbour of Shediac, the land upon which the said Wharf is to be built being first conveyed to the Justices of the Peace for the County of Westmorland, for the purposes of a public landing.

Public Wharf at Shediac.

To Lieutenant Colonel Allen, late Inspecting Field Officer, the sum of one hundred pounds, as a retired allowance for his long services in that capacity.

Lieutenant Colonel Allen.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of twenty pounds, to purchase a small tract of land to be deeded in trust to the Magistrates of the County of Westmorland, for the use of the Micmac Indians.

Purchase of Land for Micmac Indians.

To the Justices of the Peace for the County of Restigouche, the sum of seven hundred and fifty pounds, to assist them towards the erection of a Court House and Gaol in the said County.

Court House and Gaol in Restigouche.

To the Justices of the Peace of the City and County of Saint John, the sum of eight hundred and one pounds two shillings and two pence, towards reimbursing the Overseers of the Poor for the said City, for expenses incurred in the support and relief of sick and distressed Emigrants, for the year one thousand eight hundred and thirty eight, the same to be taken from the Emigrant fund.

Distressed Emigrants, Saint John.

To the Overseers of the Poor for the Parish of Saint Stephen, in the County of Charlotte, the sum of fifty pounds, to reimburse the said Parish for expenses incurred in the support of transient poor during the past year, the same to be taken from the Emigrant fund.

Transient poor, Parish of Saint Stephen.

To the Commissioners of the Alms House for the County of York, the sum of one hundred pounds, to remunerate them for expenses incurred for Emigrants and transient Poor, for the year ending one thousand eight hundred and thirty eight, the same to be taken from the Emigrant fund.

Emigrants and Transient poor, York County.

Emigrants and
Transient poor,
Saint Andrews.

To the Overseers of the Poor for the Town of Saint Andrews, the sum of three hundred and fifty pounds, to reimburse them for expenses incurred in the support of sick and distressed Emigrants and transient Poor, for the year one thousand eight hundred and thirty eight, the same to be taken from the Emigrant fund.

Distressed Emi-
grants, Parish of
Portland.

To the Justices of the Peace for the City and County of Saint John, the sum of one hundred and eighteen pounds eleven shillings and one penny, towards reimbursing the Overseers of the Poor for the Parish of Portland, for expenses incurred in the support and relief of sick and distressed Emigrants, for the year one thousand eight hundred and thirty eight, the same to be taken from the Emigrant fund.

Transient poor,
Parish of Saint
George.

To the Overseers of the Poor for the Parish of Saint George, in the County of Charlotte, twenty pounds, to reimburse the said Parish for expenses incurred for the support of transient Poor for the past year, the same to be taken from the Emigrant fund.

Transient poor,
Chatham.

To the Overseers of the Poor for the Parish of Chatham, in the County of Northumberland, the sum of nineteen pounds three shillings and two pence, to reimburse the said Parish for the support of transient Poor for the past season, the same to be taken from the Emigrant fund.

Overseers of poor
in Kingston.

To George Raymond and others, Overseers of the Poor for the Parish of Kingston, King's County, the sum of twenty five pounds five shillings, to reimburse them for expenses incurred in maintenance and medical attendance for a maimed transient pauper, for the year one thousand eight hundred and thirty eight, the same to be taken from the Emigrant fund.

Madras Corpora-
tion, Fredericton
School House.

To the Governor and Trustees of the Madras Board, the sum of two hundred pounds, to enable them to enlarge the School House at Fredericton.

Overseers of Poor
in Harvey.

To the Overseers of the Poor for the Parish of Harvey, the sum of eleven pounds five shillings, to defray the expenses incurred by them in the support of James Higgins, a transient pauper.

W. Hamilton.

To William Hamilton, the sum of eighteen pounds nine shillings, being for drawback on one pipe of Wine and one cask of Gin exported to Lower Canada.

Mary Dingee.

To Mary Dingee, widow of the late James Dingee, the sum of fifteen pounds, to compensate her for accommodation afforded to Her Majesty's Troops, on their route to Canada, and in consideration of her not keeping a Tavern while affording such accommodation.

J. Z. Brown.

To John Z. Brown, who sustained severe injury in assisting Her Majesty's Troops across the River Aristook, on their route to Canada, the sum of twenty pounds, to assist him in his present destitute condition.

Canal across
Grimross Neck.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of one thousand two hundred and fifty pounds, towards opening a Canal across Grimross Neck, in Queen's County, in aid of individual subscription, the same to be drawn on such conditions being complied with as are stated in a Bill which has passed this House during the present Session, and which has received the assent of the Legislative Council.

Juad W. Milne.

To James Milne and William Milne, the sum of twenty five pounds, to compensate them for preparing a plan of Shediak Harbour, sent to this House by Message from His Excellency the Lieutenant Governor.

Rev. J. Alley, for
Madras School
House, Saint An-
drews.

To the Reverend Jerome Alley, the sum of forty pounds, in aid of individual subscription, to enable him to finish the Madras School House in the Town of Saint Andrews, in the County of Charlotte, the same being intended for the education of poor children of all denominations in that County.

Widow of I. W.
Jouett.

To the Widow of Isaac W. Jouett, late Usher of the Black Rod to the
Legislative

Legislative Council, the sum of twenty pounds, to assist her in her present situation.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of fifty pounds, towards the expense of exploring (by a Commissioner or Commissioners to be appointed by His Excellency for that purpose,) a proposed new line of Road between the head of Bellisle Bay and Kingston, in King's County, as contemplated by the petition of Edward G. N. Scovil, Vincent White and others; and also to survey the present Great Road between those two places and explore some minor alterations proposed therein, and to report on both routes at the next Session of the General Assembly, the results of such exploration to exhibit the courses and distances, the levels, the comparative advantage of, and an estimate of the probable expense of completing each of those lines.

Exploration of Road from Head of Bellisle Bay to Kingston.

To Xenophon Jouett, late Usher of the Black Rod to the Honorable Her Majesty's Council, the sum of twenty five pounds, in consideration of his long services and advanced age, having served that Honorable Body nearly thirty eight years.

X. Jouett.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of twenty pounds, to be paid James Blackhall, for his services to the Revenue, during the year one thousand eight hundred and thirty eight, in the County of Gloucester.

James Blackhall.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of thirty pounds, for a Tide Surveyor at Shippegan and Caraquet, in the County of Gloucester, for the year one thousand eight hundred and thirty nine.

Tide Surveyor at Shippegan and Caraquet.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of fifty pounds, towards remunerating Missionaries stationed at Madawaska for the purpose of giving attendance on the Tobique or other Indians established in the neighbourhood of that settlement.

Missionaries for the Tobique Indians.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of two hundred and fifty pounds, for the purpose of establishing two Packets to carry the Mails from Saint Andrews to Deer Island, Indian Island, Campobello and Grand Manan, and back from these places to Saint Andrews.

Packets from Saint Andrews to Deer Island.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of twenty pounds, to assist the Inhabitants of the Parishes of Botsford and Westmorland, in the County of Westmorland, to employ a Courier to carry the Mails from Cape Tormentine, in the Parish of Botsford, to the Post Office in Fort Lawrence.

Courier from Cape Tormentine to Fort Lawrence.

To the Chairman of the Committee of Public and Private Accounts, the sum of one hundred and fifty pounds for various services performed by him during the recess, and also for extra services during the Session, in auditing and reporting the said Accounts.

Chairman of Committee of Public and Private Accounts.

To John Wright, Esquire, the President of the Agricultural Society lately established, and now in operation, in the County of Northumberland, in aid of the funds of that Society, the sum of one hundred pounds.

Agricultural Societies, Northumberland,

To the President of the Agricultural Society of the County of Charlotte, in aid of the funds raised by private subscription to promote the objects of that Society, one hundred pounds.

Charlotte County,

To the President of the Agricultural Society of the Parishes of Westfield and Greenwich, in King's County, the sum of twenty five pounds, for the encouragement of the said Society.

Westfield and Greenwich,

To the President of the Floral and Horticultural Society in Fredericton, the sum of twenty pounds, in aid of individual subscription, towards advancing the interests of that Society.

[Floral and Horticultural Society, Fredericton.]

Gloucester.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of twenty five pounds, in aid of the Agricultural Society recently formed in the County of Gloucester, to be paid when it shall be certified to His Excellency by the General Sessions of the said County, that a like sum has been subscribed and paid by the inhabitants for the purposes of the Society.

G. F. Campbell
for forwarding extra
Mails.

To George Frederick Campbell, Esquire, Post Master, the sum of twelve pounds, to remunerate him for expenses incurred in forwarding extra Mails to Saint John, with letters which came by the steam ships Royal William, Great Western and Liverpool, during the present winter.

House of Correction,
Saint John.

To the Justices of the Peace for the City and County of Saint John, the sum of five hundred pounds, towards the erection of the House of Correction now contracted for, the same not to be drawn from the Treasury until one thousand eight hundred and forty.

School House at
the Little Rock
Settlement.

To Her Majesty's Justices of the Peace of the County of Gloucester, the sum of fifteen pounds, to aid individual subscription in the erection of a School House at the Little Rock Settlement in the aforesaid County.

Exploration of
Road from Burton
to the Nerepis.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of thirty pounds eighteen shillings, to be applied for the balance of expenses incurred by George Hayward and C. F. Street, Esquires, Commissioners appointed by His Excellency for exploring a new line of Road from Burton to the Nerepis Road.

Exploration of the
Royal Road.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of seventy one pounds eight shillings and ten pence, for expense incurred by James Brown, Junior, and George Hayward, Esquires, Commissioners appointed by His Excellency for examining and exploring the Royal Road, so called.

Exploration of
Great Road between
Burgoyne's Ferry and
Patchell's Ferry.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of two hundred and twenty pounds, towards expenses incurred by James A. Mac-
lauchlan, Esquire, and others, Commissioners appointed by His Excellency for exploring and laying out a part of the Great Road on the River Saint John leading to the Canada line, between Burgoyne's Ferry, in the County of York, and Patchell's Ferry, in the County of Carleton.

Ferry Slip at Rennie's
landing, Newcastle.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of twenty five pounds, towards building a Ferry Slip at Rennie's landing, in the Parish of Newcastle, opposite the Town of Chatham.

Indigent and distressed
Indians.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of two hundred pounds, to enable the Commissioners for Indian affairs to afford relief to the indigent and distressed Indians in the Province.

Steam Boat Slip
at Saint Stephen.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of twenty five pounds, towards completing a Steam Boat Slip at Saint Stephen, in the County of Charlotte, in aid of private subscription.

J. M'Clain.

To John M'Clain, a licenced Teacher, the sum of twenty pounds, for teaching a School in the Parish of Sussex, for one year ending December one thousand eight hundred and thirty five.

Stages between
Bend of Peticodiac
and Shediac.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of twenty five pounds, in aid of individual subscription, to encourage the driving a Stage at least three times a week between the Bend of Peticodiac and Shediac, in the County of Westmorland, the same not to be drawn from the Treasury until a certificate be lodged with the Secretary of the Province that the conditions of this grant have been complied with, for the year one thousand eight hundred and thirty nine.

M. Merry.

To Margaret Merry, the sum of ten pounds for teaching a School in the Parish
of

of Newcastle, for the year ending thirty first day of July one thousand eight hundred and thirty six.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of ninety nine pounds to enable Abner Bull, the Commissioner appointed to build a Bridge over Bull's Creek, in the County of Carleton, the balance due the Contractor.

Bridge over Bull's Creek.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of twenty five pounds, to remunerate C. H. Jouett for the expenditure of that sum on a Bye Road in Deer Island, County of Charlotte, in the year one thousand eight hundred and thirty seven, he having been appointed by His Excellency for this service on the nineteenth of July in that year, and the sum having been expended the following year by another Commissioner, and consequently the warrant having been obtained by the latter.

C. H. Jouett.

To Cavalier H. Jouett, late Deputy Treasurer at West Isles, the sum of five pounds nine shillings, for expenses incurred by him in conducting a prosecution before the Court of Oyer and Terminer in the County of Charlotte, in the year one thousand eight hundred and thirty seven, against Richard T. Cord and Cyrus Stephen Cord, for assaulting and obstructing him in discharge of his duty as such Deputy Treasurer.

C. H. Jouett.

To the Justices of the Peace for the County of Westmorland, the sum of thirty pounds, to encourage the running at least once a fortnight of a sufficient Packet for the conveyance of Passengers, &c. between Shediak, in said County, and Bedeque, in Prince Edward Island, the said amount to be paid the person running the same, upon its being certified to the Justices that a sufficient Packet has been running as aforesaid at least four months.

Packet between Shediak and Bedeque.

To the Saint Andrews and Saint John Stage Coach Company, the sum of fifty pounds, in addition to the former grant of this Session, to enable them to keep up the establishment.

Saint Andrews and Saint John Stage Coach Company.

To John Simpson, Queen's Printer, the sum of one hundred and twenty five pounds, to reimburse him in part for the very heavy expenses incurred by him in publishing the Debates of this House the last Session, and in procuring a Press and Types for the express purpose of continuing the publication of those debates yearly.

J. Simpson.

To John Simpson, Queen's Printer, the sum of six hundred and seventy six pounds seventeen shillings and six pence, being balance of his account for printing the Revised edition of the Laws of this Province, with the copious Index and Appendix.

To John Simpson, Queen's Printer, the sum of one hundred and sixty one pounds fifteen shillings and six pence, in full for his account for publishing in the Royal Gazette.

To John Simpson, Queen's Printer, the sum of four hundred and seventy four pounds ten shillings, being balance of his account for printing the Laws and Journals of the last Session.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of fifty pounds, in aid of the Agricultural and Emigrant Society for the County of Westmorland, to be paid whenever it shall be certified to His Excellency the Lieutenant Governor that a like sum has been subscribed and paid by the inhabitants for the purposes of the said Society.

Westmorland Agricultural and Emigrant Society.

To John Simpson, Queen's Printer, the sum of one hundred and fifty three pounds nine shillings and three pence, being balance of his account for printing the Journals of the Legislative Council for the last Session.

J. Simpson.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum

D. Crocker.

Exploration of
Road from Tatta-
gouche to Eel
River.

of one hundred and seventeen pounds eight shillings and five pence, to reimburse David Crocker, the Commissioner appointed by His Excellency, for exploring a new line of Road from Tattagouche to Eel River.

Dredging
Machine.

To the Commissioners appointed to prepare a Dredging Machine for the Province, the sum of three hundred and five pounds one shilling and threepence, being balance of the amount expended for completing the same.

Locating English
Emigrants.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of five hundred and nineteen pounds thirteen shillings and four pence, to reimburse the Commissioners appointed for locating the English Emigrants from Northumberland, on the Great Road leading from Fredericton to Saint Andrews, for monies advanced by them for such purpose.

Exploration of
Royal Road and
Road from Fredericton to West-
morland.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of eight hundred and sixty three pounds one shilling, to reimburse H. J. Hansard and George Wightman for expenses incurred in sundry explorations &c. of the following lines of Road the last year, under directions of His Excellency, viz :— The Royal Road, so called ; the Road from Fredericton to Westmorland, passing the head of the Grand Lake, and a further exploration of a newly proposed Road extending from that Road to the head of the tide at Richibucto River.

W. Hammond,
Drawback.

To William Hammond of Saint John, the sum of twenty one pounds ten shillings and six pence, being drawback on two puncheons of Rum and one hogshead of Geneva, exported in December in the year one thousand eight hundred and thirty seven, to Amherst, Nova Scotia.

E. D. W. Ratch-
ford, Drawback.

To E. D. W. Ratchford, of Saint John, the sum of seven pounds sixteen shillings, being drawback on one hogshead Brandy exported in December in the year one thousand eight hundred and thirty seven, to Amherst, Nova Scotia.

Crookshank and
Walker, Draw-
back.

To Crookshank and Walker, of Saint John, the sum of six pounds eighteen shillings, being drawback on one hogshead of Brandy exported in December in one thousand eight hundred and thirty seven, to Amherst, Nova Scotia.

Provincial Secre-
tary, extra Clerk
Hire, &c.

To the Honorable William F. Odell, the sum of fifteen pounds sixteen shillings, being extra Clerk hire, printing bills, &c. in preparing renewed Commissions for public Officers.

Enlargement of
Provincial Secre-
tary's Office.

To His Excellency the Lieutenant Governor or Commander in Chief, a sum not exceeding five hundred pounds, for the enlargement of the Provincial Secretary's Office, and for other improvements in said Office.

Exploring Road
from Brockway's
to lower Bridge
over the St. Croix.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of fifty two pounds twelve shillings and sixpence, to reimburse the Commissioners for expenses in exploring and surveying a line of Road from the Bridge at Brockway's to the lower Bridge over the River Saint Croix.

T. Smith, Pro-
vince Hall Plans,
&c.

To Thomas Smith, Architect, the sum of twenty five pounds, for services in examining the state of the Province Hall, and preparing plans, elevations and specifications for the proposed improvements to that building, as well as the Secretary's Office.

Removing Bar at
the Jemseg.

To such Commissioners as His Excellency the Lieutenant Governor or Commander in Chief may appoint, for the purpose of improving the navigation between the River Saint John and the Grand Lake, by the removal of a bar at the entrance of the Jemseg, the sum of three hundred pounds.

Exploration of
Road from Red
Rock Settlement
to Harding's.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of one hundred and fifty pounds, towards reimbursing the Commissioners for exploring a line of Road leading from the Red Rock Settlement to Harding's, on the Nerepis Road.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum
of

of two hundred pounds, to be appropriated towards removing the Shoal in the River Saint John, near the Oromocto. Removing Shoal
near the Oromocto.

To His Excellency the Lieutenant Governor or Commander in Chief, in case His Excellency should think it advisable to call out for service a corps of Riflemen for the defence of the Province, a sum not exceeding six hundred pounds, to enable His Excellency to procure clothing and equipments for the said Corps. Equipment of a
Corps of Riflemen.

To John Gregory, Clerk Assistant of the Legislative Council, ten pounds, for extra copies of the Province Laws for the use of Magistrates, for the year one thousand eight hundred and thirty nine. Extra Copies of
Province Laws.

That the sum of two thousand five hundred pounds, appropriated last year to His Excellency the Lieutenant Governor or Commander in Chief, towards the erection of a Court House in Fredericton, be reappropriated towards the expense of making addition and improvements to the Legislative Hall or Province Building, and a fire proof building for the Clerk of the Supreme Court. Improvement of
the Province Hall
and for a fire-proof
Building for the
Clerk of the
Supreme Court.

To George Lee, Junior, the Clerk Assistant of this House, the sum of seventy five pounds, for making a fair copy of the Index to the files of this House from the first General Assembly up to the year one thousand eight hundred and thirty eight. George Lee,
Junior.

To the Commissioners of Government House, the sum of one thousand two hundred and fifty pounds, towards the balance due them. Government
House.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of two hundred and fifty pounds, as a further amount towards the protection of the Revenue. Protection of
Revenue.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of three hundred and seventeen pounds four shillings and four pence, to pay D. McMillan for binding the revised edition of the Laws. Binding Revised
edition of Laws.

The sum of ten thousand pounds, voted in supply on the twenty seventh day of February last, and placed at the disposal of His Excellency the Lieutenant Governor or Commander in Chief for the pay and subsistence of the Militia embodied for the defence of the Province, to be reappropriated, and that the same sum be granted to His Excellency to be applied towards the defence of the Province generally. Defence of the
Province.

To A. Wedderburn, Emigrant Agent, at Saint John, the sum of fifty pounds, in addition to the amount allowed him on the Civil List of the Province. A. Wedderburn.

To H. E. Dibblee, Sub-Collector and Deputy Treasurer at Woodstock, the sum of twenty nine pounds six shillings and three pence, being for the expenses incurred in building a Lock up House at Woodstock for the security of Goods seized under the Revenue Laws. Lock up House at
Woodstock.

To the Clerk of the House the sum of two thousand two hundred and seventy six pounds four shillings and two pence, for the Contingencies of the present Session. Legislative Con-
tingencies.

II. And be it enacted, That all the before mentioned sums of money shall be paid by the Treasurer of the Province, by warrant of His Excellency the Lieutenant Governor or Commander in Chief for the time being, by and with the advice of Her Majesty's Executive Council, out of the monies now in the Treasury, or as payment may be made at the same. Money to be paid
by Warrant.

CAP. V.

An Act to provide for opening and repairing Roads and erecting Bridges throughout this Province.

Passed 23d March 1839.

I. **B**E it enacted by the Lieutenant Governor, Legislative Council and Assembly, That there be allowed and paid out of the Treasury of the Province, to such persons as his Excellency the Lieutenant Governor or Commander in Chief for the time being shall appoint, in addition to the sums already granted, the following sums for the purposes hereinafter mentioned :—

Digdeguash
Bridge.

To George Anderson, Esquire, Supervisor of the Great Road from Saint John to Saint Andrews, the sum of three hundred and nineteen pounds eight shillings and six pence, being the balance of his contract for building the Digdeguash Bridge.

Great Road, Saint
John to Saint
Andrews.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of one thousand one hundred and eighty pounds eleven shillings and six pence, for the improvement of the Great Road from Saint John to Saint Andrews ; two hundred pounds of which sum to be expended on the line between the Bridge near the late Stuart Seeley's and John Roix's.

Richibucto to
Chatham.

To His Excellency the Lieutenant Governor, the sum of three hundred pounds for the road from Richibucto to Chatham.

Dorchester to
Shediac.

To His Excellency the Lieutenant Governor, the sum of one hundred and fifty pounds for the road from Dorchester to Shediac.

Bend of
Peticodiac to
Shediac.

To His Excellency the Lieutenant Governor, the sum of one hundred pounds for the road from the Bend of Peticodiac to Shediac.

Shediac to Richi-
bucto.

To His Excellency the Lieutenant Governor, the sum of one hundred and twenty pounds for the road from Shediac to Richibucto.

Richibucto
to Bend of
Peticodiac.

To His Excellency the Lieutenant Governor, the sum of one hundred pounds for the improvement of the road from the head of Richibucto River to the Bend of Peticodiac.

Sussex Vale to
Lock Lomond.

To His Excellency the Lieutenant Governor, the sum of five hundred pounds for the road from Sussex Vale to Lock Lomond.

Salisbury to Har-
vey's.

To His Excellency the Lieutenant Governor, the sum of five hundred pounds for the Great Road from Salisbury to Harvey's, forty seven pounds twelve shillings and four pence of which to be paid James Wallace and John Nixon, late Commissioners for building a Bridge over the Peticodiac River, and also the sum of one hundred pounds to be expended between Alexander Steeves', in Hillsborough, and John Calhoon's, in Hopewell.

Piers and Landing
places, Harbour of
Saint John.

To the Mayor, Aldermen and Commonalty of the City of Saint John, the sum of one thousand two hundred and fifty pounds, to assist in building Piers and Landing places on the eastern and western sides of the Harbour of Saint John, in order to form a connexion with the several Great Roads, by the establishing of Steam Ferry Boats for the sure, safe and speedy conveyance of Her Majesty's Mails and passengers across the said Harbour.

Hammond River
to Hopewell.

To His Excellency the Lieutenant Governor, the sum of two hundred pounds for the road from Hammond River to Hopewell.

Oromocto to
Gagetown.

To His Excellency the Lieutenant Governor, the sum of one hundred and fifty pounds for the road from Oromocto to Gagetown.

Saint John to
Fredericton, *via*
Nerepis.

To His Excellency the Lieutenant Governor, the sum of six hundred pounds for the improvement of the Great Road from Saint John to Fredericton, *via* Nerepis.

Widening Mill
Bridge.

To the Mayor, Aldermen and Commonalty of the City of Saint John, the sum of five hundred pounds, for widening the Mill Bridge.

To

To His Excellency the Lieutenant Governor, the sum of three thousand five hundred pounds for the improvement of the Great Road from Fredericton to Newcastle. Fredericton to Newcastle.

To His Excellency the Lieutenant Governor, the sum of five hundred pounds for the road from Newcastle to Bathurst. Newcastle to Bathurst.

To His Excellency the Lieutenant Governor, the sum of two hundred pounds for the Road from the Nerepis to Gagetown. Nerepis to Gagetown.

To His Excellency the Lieutenant Governor, the sum of nine hundred pounds for the erection of Bathurst Bridge. Bathurst Bridge.

To His Excellency the Lieutenant Governor, the sum of four hundred pounds, for the Road from Fredericton to the Fingerboard; one hundred and sixty two pounds ten shillings of this sum to be appropriated in paying N. Hubbard, for damages and interest paid by him to persons through whose lands a new line of road has been opened. Fredericton to the Fingerboard.

To His Excellency the Lieutenant Governor, the sum of one hundred pounds, for the Road from Bellisle to Saint John; thirty nine pounds ten shillings and eight pence of which to be paid to Caleb Wetmore, Esquire, former Supervisor, for balance due him. Bellisle to Saint John.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of two thousand five hundred pounds for the improvement of the Great Road from Fredericton to Saint Andrews. Fredericton to Saint Andrews.

To His Excellency the Lieutenant Governor or Commander in Chief, the following sums:

The sum of seven hundred and fifty pounds, for the Road from Saint John to Hayward's Mills, on the Great Road leading to the Nova Scotia line; Saint John to Hayward's Mills.

The sum of two hundred and fifty pounds, for the completion of the Bridge over Hampton Ferry; Bridge over Hampton Ferry.

The sum of one hundred pounds, for the Road from the head of the Marsh, near Ellison's, to the Hammond River at Beateay's, on the old Westmorland Road, so called, and to repair such other parts of the old Westmorland Road from the Aboideau to Frog Pond, as may be required; Head of Marsh to Hammond River, and repair of the old Westmorland Road.

The sum of seven hundred pounds for the Road from Hayward's Mills to the Nova Scotia line. Hayward's Mills to the Nova Scotia line.

To His Excellency the Lieutenant Governor, the sum of one thousand five hundred pounds, for the Great Road from Bathurst to Campbelltown, and that the same be expended as follows, viz: Bathurst to Campbelltown.

The sum of eighty pounds for the Cut at Tettagouche Bridge, to be paid over to the late Commissioner; the sum of fifty pounds to improve the Road between Tettagouche and Little Rock; the sum of one hundred and seventy pounds between Belle Doune Bridge and Jacquet River; the sum of six hundred pounds for a Bridge over Eel River; the sum of six hundred pounds from Dalhousie to Campbelltown.

To His Excellency the Lieutenant Governor, the sum of one hundred pounds for the Great Road from Woodstock to Houlton. Woodstock to Houlton.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of two hundred and fifty pounds to open a new line of Road from Woodstock, through the Williamstown settlement, to the River des Chutes. Woodstock to River des Chutes.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of four thousand five hundred pounds, towards the shortening of the Road from Sackville, in the County of Westmorland, to Nova Scotia Province line, across the Tantamar Marsh, and towards the Bridges on the same, in aid of individual subscription;

subscription ; five hundred pounds of which to be drawn from the Treasury, if required, in one thousand eight hundred and thirty nine, two thousand pounds in one thousand eight hundred and forty, and the remaining sum of two thousand pounds in one thousand eight hundred and forty one ; Provided always, and it is distinctly and unanimously understood, that no further provision is to be made by the Legislature towards this object ; and any difference of expense beyond the said sum of four thousand five hundred pounds, is to be made by contribution from individuals through whose lands the projected alteration may take place, and by others who may be induced to subscribe towards the same ; And provided also, that no part of the monies shall be drawn from the Treasury until it be satisfactorily ascertained that such additional amount beyond the said sum of four thousand five hundred pounds, necessary fully to complete the said Road and Bridges, shall have been subscribed and properly secured or paid : And provided further, that it be ascertained that such part of the Nova Scotia line onwards, as may be required to be made and completed by Nova Scotia, be undertaken by that Province.

Fredericton to
Peticodiac.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of two thousand pounds to improve the new line of Road from Fredericton to Peticodiac.

Red Rock to the
Nerepis.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of two hundred pounds to open a new line of Road from Red Rock, in the Parish of Saint George and County of Charlotte, to the Nerepis.

Oak Bay to Bridge
at Eel River.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of five hundred pounds for opening and improving the new line of Road from Oak Bay, in the County of Charlotte to the Bridge at Eel River.

Fredericton to the
Canada line.

To His Excellency the Lieutenant Governor or Commander in Chief for the time being, the sum of three thousand pounds for the Great Road from Fredericton to the Canada line, the same to be appropriated as follows : To open and improve the Road between Burgoyne's Ferry and George Wheeler's, and to open and improve the Road between the Poquiock and Patchel's Ferry ; Provided that a sum not exceeding five hundred pounds of which to be appropriated in the payment of any sums of money due on contracts entered into by the Supervisor for erecting or repairing Bridges between Fredericton and Woodstock, and also for the making of any repairs on the Road on the north side of the River Saint John, that the present travelling may absolutely require.

Bridge at Brock-
way's to the lower
Bridge over the
Saint Croix.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of one hundred pounds to open a Road from the Bridge at Brockway's, Magaguadavic, to the lower Bridge over the River Saint Croix.

Grand Lake to
Richibucto.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of one hundred pounds for the exploration of the Road between Grand Lake and Richibucto.

Connick's at Wa-
weig to Bridge in
Saint Stephen.

To His Excellency the Lieutenant Governor, the sum of sixty pounds for the improvement of the Great Road from Connick's, at Waweig, to the lower Bridge, in Saint Stephens.

Settlement at
Saumarez to Set-
tlement at Aln-
wick.

The sum of forty pounds to be expended on that portion of the Bye Road connecting the Settlements of Saumarez and Alnwick, in the Counties of Gloucester and Northumberland, which hitherto has not been under the supervision of the Bye Road Commissioner of either of those Parishes.

Bridge over
Salmon River.

To Thomas Dunfield, the sum of fourteen pounds, for building a Bridge over the Salmon River, Sussex, on the line of the Great Road from Saint John to Nova Scotia line, by the direction of George Hazen, late Supervisor, in one thousand eight

eight hundred and thirty six, the same to be taken out of the grant of this year on said road.

To His Excellency the Lieutenant Governor, the sum of three thousand pounds towards opening and improving the Road around Lake Tamiscouta, and down towards such positions on the River Saint John as His Excellency may deem expedient. Road around Lake Tamiscouta.

The sum of five hundred pounds for the further improvement of the Royal Road. Royal Road.

The sum of thirty five pounds granted in a former Session of the Legislature, for the Road from the Ferry to the lower line of the Parish of Saint Mary's, to be expended in building a Bridge across Sterling's Creek, be reappropriated as follows: The sum of fifteen pounds to open a new line of Road laid out by Goodfellow from Hughes' to the Taxes River; and the sum of twenty pounds to open the Road from Little Mills to the Great Road from Fredericton to Saint Andrews. Hughes' to Taxes River; Little Mills to Great Road.

To His Excellency the Lieutenant Governor, the sum of two hundred pounds to improve the new Road from Groom's in Hampton, to the new Bridge in Norton, King's County. Groom's to New Bridge in Norton.

To His Excellency the Lieutenant Governor, the sum of fifty pounds, in aid of erecting a Bridge across the Taxes River, Boiestown, in the County of Northumberland. Bridge across the Taxes River.

To His Excellency the Lieutenant Governor, the sum of five hundred pounds towards the erection of a Bridge over Oromocto River. Bridge over the Oromocto.

To His Excellency the Lieutenant Governor, the sum of fifteen pounds to pay such Commissioner as he may appoint to examine a new line of Road from the Forks of the old Westmorland Road or Marsh Road to Loch Lomond. Forks of old Westmorland Road to Loch Lomond.

To L. B. Rainsford, late Supervisor of the Great Road from Fredericton to Saint John, the sum of twenty three pounds fifteen shillings, the same to be paid Mr. Rainsford by the present Supervisor, out of the monies voted the present Session for improving said Road. L. B. Rainsford.

KENT BYE ROADS.

The sum of forty pounds from Kouchibouguac to Point Sabine.

The sum of thirty pounds from Point Edward to the Shipyard.

The sum of thirty seven pounds ten shillings for the road on the south side of Kouchibouguac River; of which seven pounds ten shillings to be paid to Saunders and Porteus, for a balance due on Island Creek Bridge. Bye Roads in Kent.

The sum of twenty five pounds for the road from Kouchibouguac to the Little River.

The sum of ten pounds from Taddy Babino's to the Post Road.

The sum of fifteen pounds for the road on the north side of the Kouchibouguais River from the foot of the Rapids upwards.

The sum of thirty pounds for the Road on the south side of the Kouchibouguais River.

The sum of ten pounds for the road on the south side of Kouchibouguac River above the Post Road.

The sum of twenty five pounds for the road on the south side of the Aldoune River.

The sum of eighty pounds from Richibucto to Molus River.

The sum of twenty five pounds from Mill Creek to the Indian line, fifteen pounds of this sum to be expended above Carruther's.

The sum of sixty pounds for a Bridge over Molus River.

The

Kent Bye Roads,
Continued.

The sum of thirty pounds from Little's to the Mill on the Main River.

The sum of twenty pounds from Pine's, on the Main River, to the Bridge over Trout Brook.

The sum of fifteen pounds for the road from Smith's up the Coal Branch.

The sum of fifteen pounds from the Coal Branch Bridge to the Church.

The sum of forty pounds for the road from the Coal Branch to the West Branch.

The sum of ten pounds from the West Branch to the Town Plot.

The sum of fifteen pounds to complete the Bridge over Indian Creek.

The sum of eighty pounds from the West Branch to Richibucto.

The sum of fifteen pounds for a Bridge over Kinslo Brook, on the south Branch of Saint Nicholas River.

The sum of fifty pounds for the road from Richibucto to the Lower Village.

The sum of forty pounds for the road from Jardine's to the Post Road; twenty pounds of which to be paid John Jardine, Esquire, being a balance due to him for the repairs of Galloway Creek Bridge.

The sum of fifteen pounds from Chockpish to the Lower Village.

The sum of twelve pounds for the road on the south side of Chockpish River, up stream.

The sum of seventy pounds for the Bridges on the north side of the Buctouche River.

The sum of thirty pounds for the road on the south side of Little Buctouche River.

The sum of twenty pounds for the road from Buctouche to Cocagne, by the shore.

The sum of ten pounds for the road from the south side of Little Buctouche River to the New Settlement in rear of the front lots.

The sum of fifteen pounds for the road on the road on the north side of Cocagne River to the Thibedo settlement.

The sum of sixty pounds for the road on the south side of Cocagne River.

The sum of twelve pounds for the road through the Cape.

The sum of fifteen pounds for the road to Galloway from the Cross Road at Murray's.

The sum of ten pounds for the road from John Savoy's to the Post Road.

The sum of ten pounds for the Bridge over the Lagoon near Oliver Myer's.

The sum of thirteen pounds ten shillings to William Fitzgerald and Thomas Johnson, towards paying the balance due for east Branch Bridge.

GLOUCESTER BYE ROADS.

Bye Roads in
Gloucester.

The sum of eighty pounds for the road between Pokemouche and Tracadu.

The sum of fifteen pounds for a Bridge to be erected over Lousier's Creek.

The sum of forty five pounds for the Caraquet Lower Portage.

The sum of fifteen pounds for Saint Mary's Bridge, on Almac Island.

The sum of forty five pounds for the roads connected with the Shippegan settlement.

The sum of forty pounds for the road from Grand Aunce to End's Bridge.

The sum of ten pounds for the road from End's Bridge to the South West Ferry.

The sum of ten pounds for the roads through the Waterloo Settlement.

The sum of twenty pounds for the road from Grand Aunce to the Wellington Settlement, in the rear.

The

The sum of fifteen pounds for the road from the Church at Grand Aunce to the Great Swamp. Gloucester Bye Roads, *Continued*.

The sum of sixteen pounds for a Bridge over the Brook between Grand Aunce and Daniel Cohelan's, and for repairing Parrott's Bridge.

The sum of thirty pounds for the road from William Stephen's to Thomas Ellis' Brook.

The sum of thirty five pounds for the erection of a Bridge over Thomas Ellis' Brook.

The sum of fifteen pounds for a public landing on Lot number twenty five, at New Bandon.

The sum of fifty pounds for erecting a Bridge at Richard Dawson's.

The sum of thirty pounds for the road from Janeville, eastwards.

The sum of one hundred pounds for the road leading from the Miramichi road to Patterson's Cove.

The sum of twenty pounds for the road from Patterson's Cove to Sutherland's.

The sum of thirty five pounds for the road from Bass River to Watson's Bridge.

The sum of fifteen pounds for the road from M'Carthy's to John Smith's.

The sum of fifteen pounds for the road from William Barry's to Dempsey's Brook.

The sum of fifteen pounds for the road from Teague's Brook, westwards.

The sum of twelve pounds for repairing Bass River Bridge.

The sum of forty five pounds for the road from Little River Mills to the Town of Bathurst, through the Swamp.

The sum of forty pounds for the road through Youghall Settlement.

The sum of ten pounds for the landing at the foot of King's Street.

The sum of seventy five pounds for the road from Bathurst to the Babino River.

The sum of twenty pounds for the road above Daly's, Tettagouche.

The sum of ten pounds for the road below Daly's.

The sum of twenty five pounds for the road in the Kinsale Settlement.

The sum of twenty pounds for the road from William Molloy's to Saint Peters'.

The sum of thirty pounds for the road up the Little River from Lot number seven, towards the Bridge.

The sum of seven pounds for the repairs of Little Nipisiquid Bridge.

The sum of fifty five pounds for cutting down the hills and filling up the Glebe Brook in the rear of Bathurst.

The sum of thirty pounds for the road through the Settlements in the rear of the Little Rock Grant, for exploration or otherwise.

RESTIGOUCHE BYE ROADS.

The sum of one hundred and fifty pounds from James Christopher's to George Firth's, at the head of the Flat Land Settlement. Bye Roads in Restigouche.

The sum of twenty pounds from Mair's to Christopher's.

The sum of forty pounds for the road to the Sugar Loaf Mountain Settlement.

The sum of twenty pounds to open a road from the Town of Dalhousie to the Croker line, in rear of H. Montgomery's.

The sum of sixty pounds for the road from Eel River Settlement to the Great Road.

The sum of fifty pounds from the shore to Reed's Mills Settlement, in rear of David M'Intosh's.

The sum of twenty pounds for the road leading to the Mountain Brook Settlement.

Bye Roads in
Restigouche,
Continued.

The sum of thirty pounds for the road lead to the Settlement on River Charlo, in rear of Alexander M'Pherson's.

The sum of ten pounds for the road near James M'Pherson's to the Settlement in rear.

The sum of thirty pounds for the road to the Settlement on Nash's Creek, in rear of Robert Harvey's.

The sum of one hundred pounds for a Bridge over M'Nair's Mill Stream, near the Mill.

The sum of twenty pounds from M'Nair's Mill to Nash's Creek,

The sum of one hundred pounds from Belle Dune to New Mill Settlement.

KING'S COUNTY BYE ROADS.

Bye Roads in
King's County.

The sum of ten pounds for the road from Isaac Perry's to John Dixon's, in Kingston.

The sum of ten pounds from Elias Flewelling's to Captain Perry's by way of Harvey's.

The sum of twenty five pounds for the new road from Shaw's to the solid Bridge at the point of the Mountain.

The sum of fifteen pounds for the road from Justus Wetmore's, Kennebecasis, to Crawford's, on the Long Reach; to be expended between the Midland and the Reach Road.

The sum of fifteen pounds for the road from White's Mills to the Long Reach, near William's; one half of said sum to be expended between the Midland and the Reach Road.

The sum of fifteen pounds for the new road from Rolston's to White's Mill Bridge.

The sum of fifteen pounds for the Neck Road from near Seely's Point to James White's.

The sum of ten pounds for the road across Long Island, Kennebecasis.

The sum of ten pounds for the road along the west side of Long Island, Kennebecasis.

The sum of ten pounds to build a Bridge near Benjamin Whites, southeast side of Long Reach, and for making a causeway and approaches thereto.

The sum of twenty pounds for the road from the Reach road near Sugget's, towards Kingston; of which sum twelve pounds ten shillings to be expended in building a Bridge over the Big Hollow, and also a sufficient sum to improve the winter road leading from the shore road, near Kierstead's, to the Creek.

The sum of ten pounds for the road from the Widow Crawford's towards Bates' Mills.

The sum of fifteen pounds for the road leading from Bates' Mills, through the Midland to the Neck Road, near M'Williams; to be expended between Coffee's and Hatley's.

The sum of fifteen pounds for the road from Alexander Black's, Bellisle, to James Peters' landing.

The sum of ten pounds for the road from James Ganong's Landing to the Midland, at the junction of the Pickwacket Road.

The sum of ten pounds for the Pickwacket Road.

The sum of thirty pounds for the roads from Pickett's Mills, by Ketchum's Brook, to the shore road, Kennebecasis.

The sum of ten pounds for the road leading from the Great Road to the Fowler Settlement in Westfield.

The sum of fifteen pounds for the road from Bilbery Point to Kennedy's Mill, east side of Nerepis.

The

The sum of ten pounds for the road from the Great Road to the Findlay Settlement.

King's County
Bye Roads, *Continued.*

The sum of ten pounds for the road from Goose Creek to Salmon Rock.

The sum of ten pounds for the road leading from the Long Reach to the Cheyne Settlement.

The sum of ten pounds for the road from Moses Kemball's to the second tier of Lots.

The sum of ten pounds for the road from the second tier of Lots to Stephen Cronk's.

The sum of fifteen pounds for the winter road from James B. Lyons', Long Reach, to the Milkish.

The sum of ten pounds for the road from the School House, near W. G. Harding's, to Land's End.

The sum of ten pounds to cut down a Hill on and improve the road leading from the east side of Milkish Creek to the centre road.

The sum of ten pounds to improve the winter road across the upper end of Kennebeccasis Island.

The sum of fifteen pounds for the road from the new Bridge at Samuel Jones', north west side of Milkish, to Thomas Fenwick's upper line.

The sum of ten pounds for the road from William Saunders' to the Reach Road, leading to James B. Lyon's.

The sum of ten pounds for the road from Robert Salter's, north west side of Milkish, to the Meeting House, and thence to the Kennebeccasis.

The sum of ten pounds for the road across Kennebeccasis Island, from Wills' to Keef's.

The sum of ten pounds for the road from the County line, near John Jones', to William Vanwart's, in Greenwich.

The sum of ten pounds for the road from Comeley's Brook to William Flaglor's corner.

The sum of ten pounds; one half of said sum to complete the new road from James Bulyea's to the Bridge, and the remainder to improve the public landing at Jones' Cove.

The sum of fifteen pounds to build a Bridge near Lawson's, on the road from Greenwich Hill Creek to the back lands, and improve the road from the Creek to the said Bridge.

The sum of ten pounds for the road from the County line, near Moore's, to Andrew Hamilton's, and thence towards Bogle's; one half of said sum to be expended between Hamilton's and Bogle's.

The sum of fifteen pounds for the road leading from the Cross Roads, in second tier of Lots, to the front road, near James Bulyea's, Junior.

The sum of ten pounds from the Widow Becket's to the Cross Roads, and thence towards Hickey's.

The sum of ten pounds for the road from the Yorkshire Road to John Cotton's, in the Menzie Settlement.

The sum of eight pounds for the road from the Yorkshire Road to Golding's.

The sum of fifteen pounds to build a Bridge over the Creek near Joseph Wallis'.

The sum of ten pounds for the road from the front road, near Brown's, towards the Wallis Settlement.

The sum of ten pounds for the road from James M'Keel's, through second tier of lots, to the Westfield Parish line.

The

King's County
Bye Roads, Con-
tinued.

The sum of seven pounds, to be paid to Isaac Haviland, Esquire, Commissioner in one thousand eight hundred and thirty eight for building a Bridge near Harrington's Mill, on the road from John Crabb's, Junior, to the shore, to enable him to complete the contract for and finish the same.

The sum of twelve pounds for the road from the junction of the Wetmore road to the School House in the West Scotch settlement.

The sum of ten pounds for the road from Robert Noble's to the back Settlement.

The sum of fifteen pounds for the road from Elijah Spragg's to Robert Spragg's.

The sum of ten pounds to build a Bridge between James Lake's and John Willager's, west side of Bellisle.

The sum of fifteen pounds for the road from Jacob Pigeon's to William Wetmore's, Springfield.

The sum of ten pounds for the road from John Van Wart's to the Pidgeon Settlement.

The sum of ten pounds for the road from James Lake's, northwest of Bellisle, to the back Settlement of John Ricker and others.

The sum of ten pounds for the road from the Maxwell Road towards the Scotch Kirk, by way of Robert Reed's.

The sum of fifteen pounds for the Bridge between Peter Spragg's and the Baptist Meeting House.

The sum of fourteen pounds five shillings to Edward G. N. Scovil, Commissioner, to enable him to fulfil the contract for building a Bridge.

The sum of ten pounds for the road from near John Foster's to Doctor C. Wilson's.

The sum of ten pounds for the road from James Cunningham's to the English Settlement.

The sum of ten pounds for the road from Donald M'Laughlin's to the Main Road near the Scotch Kirk.

The sum of twenty five pounds for the road from the Church in Bellisle to Ezekiel Fosters'.

The sum of ten pounds for the road from near English's on Bellisle, towards the Mill stream, by way of Joseph Sharp's.

The sum of ten pounds for the road from R. Colpitt's to Thomas Coates' Mill.

The sum of ten pounds to assist in building a Bridge across the Mill Brook of Thomas Coates.

The sum of ten pounds for the road from Henry Sharp's, near the Finger Board, to Howe's.

The sum of fifteen pounds for the road from near Hale's place, by the widow Giou's, to the main road, near Colpitt's.

The sum of ten pounds for the road from Henry Parlee's to the Finger Board road.

The sum of ten pounds for the road from Stewart's Mills to William H. Baxter's.

The sum of ten pounds for the road from W. H. Baxter's to the Sussex line.

The sum of ten pounds for the road from Henry Jackson's to Joseph Moody's.

The sum of ten pounds for the road from David Floyd's to Connor's.

The sum of ten pounds for the road from D. B. Wetmore's to James Wilson's.

The sum of ten pounds for the road from Longstroth's towards the City, to be expended between Thomas Palmer's road and the Saint John County line.

The sum of fifteen pounds for the road and Bridges between Gondola Point Church, and Sherwood's Cove, in Hampton.

The

The sum of fifteen pounds for the road from George Prince's to the Post Road leading from Hammond River Bridge to Hennigar's.

King's County
Bye Roads, *Continued.*

The sum of twenty pounds for the road leading from the late James Smith's Mills to the Golden Grove road near Hastings'.

The sum of fifteen pounds to build a Bridge near John Palmer's in Hampton.

The sum of ten pounds for the road from near Charles Robinson's, Hammond River, to Andrew Bull's.

The sum of ten pounds for the road across Darling's Island.

The sum of thirty pounds for the road from Groom's in Hampton, to the Toll Bridge in Norton.

The sum of ten pounds for the road from Deforest's Lake to John Sherwood's Mill, in Upham.

The sum of ten pounds for the road from Lackie's Brook to John Sullivan's.

The sum of ten pounds for the road from Edward M'Mackin's to the road leading to Deforest's Lake.

The sum of twelve pounds six shillings and nine pence, to John Sherwood, Commissioner, to enable him to fulfil his contract for building a Bridge near Caleb Davis.

The sum of ten pounds thirteen shillings and three pence for the road from John Sherwood's to Captain Dick's.

The sum of ten pounds to improve the road near John Steeves'.

The sum of ten pounds for the road from the new Bridge over Hammond River, to the County line, near Cother's.

The sum of ten pounds for the road from near Joseph Barnes' to the new Bridge over Hammond River.

The sum of fifteen pounds for the road from Joseph Barnes' to James Campbell's.

The sum of fifteen pounds for the road from James Campbell's to the head of the Salt Spring Settlement.

The sum of eleven pounds to Ebenezer Smith, to enable him to pay John Barnes and Laurence Cullinan for erecting a Cutwater to the New Hammond River Bridge, and making approaches to the said Bridge.

The sum of ten pounds for the road from Isaac Brown's to Robert Marshall's.

The sum of twenty pounds to aid in opening and improving a road from the Shepody road, at or near Schoal's Farm, towards the Great Salmon River.

The sum of ten pounds for the road from Noah Taber's to the Saint John County line.

The sum of forty pounds for the new road from near Joseph Barnes' to the Church near Upham's.

The sum of ten pounds for the road from the south Stream Bridge to the County line towards the Miliken Settlement.

The sum of ten pounds for the road from John Jordan's to near Charles Gayley's, in Sussex.

The sum of ten pounds for the road from near Moses Jordan's to William M'Leod's Scotsman.

The sum of ten pounds for the road from the Smith Creek to John Jordan's.

The sum of twenty pounds for the road from John Ryan's to the head of the Mill Stream.

The sum of ten pounds for the road from James Nowlin's to the Methodist Chapel on the Mill Stream.

King's County
Bye Roads, *Continued*.

The sum of ten pounds for the road from the cross road to Henry Collin's, through the Mountain Settlement.

The sum of ten pounds for the road from William Beach's to John Dobson's, Junior.

The sum of ten pounds to assist in building a Bridge near Jacob Snider's.

The sum of seventeen pounds seven shillings and six pence, to enable Abraham Good to pay up his contract for building a Bridge over the Mill Stream near Ulis Haney's.

The sum of ten pounds for the road from the Spragg Settlement to near Gilead Seacord's.

The sum of ten pounds for the road from near Kyle's, at the Cedar Camp Creek, to Wesleyan Settlement near Negro Brook.

The sum of ten pounds to assist in building a Bridge on the Henry Leek Road, so called.

The sum of fifteen pounds for the road from near Patrick Welsh's to the Shepody road near M'Laughlin's.

The sum of ten pounds to assist in building a Bridge over Trout Creek, between William Austin's and Thomas Taylor's.

The sum of ten pounds for the road from Walton's Mills to Cowin's, at the head of the south branch of Trout Creek.

The sum of nine pounds twelve shillings and six pence for the road from the south branch to the Westmorland line by way of James Hayward's.

The sum of ten pounds for the road from Ezekiel Foster's to the Queen's County line, through the English Settlement.

The sum of ten pounds for the road from Ezekiel Foster's to the School House near Justus Kierstead's.

The sum of fifteen pounds for the Bridge and road between Samuel Folkin's and Morris Frazee's.

The sum of thirty three pounds for the Bridge between Joseph Darling's and William Ryley's.

The sum of ten pounds for the road from William Lockhart's towards New Canaan to the County line.

The sum of ten pounds for the road from Westley Perry's to Josiah Keith's.

The sum of fifteen pounds for the road from William C. Beech's to Alwood's, on Butternut Ridge.

The sum of fifteen pounds for the road from Gayley's to the Butternut Ridge.

The sum of ten pounds for the road from Patrick Melone's to the County line, towards the Shepody Road.

The sum of ten pounds for the road from near James Dunfield's to the new road near Thomas Dunfield's Mill, on the north side of the River.

The sum of fifteen pounds for the road near Samuel Kierstead's to the Irish Settlement, so called.

The sum of ten pounds for the road from Joseph Sharp's to Burk's.

The sum of ten pounds for the road from the Campbell Settlement to the Burying ground in Sussex.

The sum of ten pounds for the road from the Campbell Settlement to the Salt Spring Settlement.

The sum of ten pounds for the road from Matthew M'Leod's to Henry Parlee's.

The sum of ten pounds for the road from near M'Gregor's Mill to William Sinnott's by way of Barney Finney's.

The sum of ten pounds for the road from near William Gamblin's to the Goshen Settlement.

WESTMORLAND

WESTMORLAND BYE ROADS.

The sum of forty pounds for the road from Thomas Ayer's to Benjamin Landrie's. Bye Roads in Westmorland.

The sum of ten pounds for the road from the Great Road no Sackville Great Marsh to Point Migic.

The sum of ten pounds for the road from Philip Chapman's to Thomas Oulton's, Junior.

The sum of twenty five pounds for the road from Thomas Oulton's, Junior, to the Emigrant road.

The sum of fifteen pounds for the road from Thomas Oulton's, Junior, to Joseph Murray's.

The sum of twenty pounds for the road from George Richardson's to Crossman's.

The sum of twenty pounds for the road from the Dorchester road to Crossman's by the way of Mittin's.

The sum of fifteen pounds for the road from Tedish to Shémogue.

The sum of fifteen pounds for the road from John Anderson's to Blanches', crossing the Little Shemogue.

The sum of thirty pounds for the road from Sackville to Aboushagan.

The sum of forty pounds for the road from the Chapel in Barrichoie to the Sackville road, including Bridges.

The sum of twenty five pounds for the road from the Gaspereaux to the Great Shemogue.

The sum of ten pounds for the road from the Great Shemogue road to the Ferry on the Little Shemogue.

The sum of fifty pounds from Gaspereaux to Cape Tormentine, through the Emigrant Settlement.

The sum of twenty pounds for the road from the Great Road to Grand Aunce, by the way of the second Westcock Hill.

The sum of fifteen pounds for the road from Ephraim Raworth's to Cape Spear.

The sum of ten pounds for the road from Patrick Blanche's to the Little Cape on the west side of the Great Shemogue.

The sum of fifteen pounds for the road from James Purdy's to George Cook's.

The sum of fifteen pounds for the road from the Aboushagan Road to David Cook's.

The sum of twenty pounds for the road from the Shediak road to the French Settlement; two pounds ten shillings of which to be paid Moses Welling for over expenditure.

The sum of forty pounds for the road from Wood Point to Cape Maranguin; ten pounds to be expended in erecting a Bridge or Aboideau over Peck's Creek.

The sum of ten pounds for the road from James Ayer's to Beech Hill.

The sum of twenty pounds for the road from Widow Kinnear's to Fairfield.

The sum of ten pounds for the road from Joseph O'Bean's in Tedish to the Kouchibouguac Lake Settlement.

The sum of ten pounds for the road from Point Migic Road to N. Hick's on the north side of Tower's Goose Lake.

The sum of ten pounds for the road from George Dobson's to the Emigrant road.

The sum of fifteen pounds for the road from Townsend's to Bay Verte.

The sum of forty pounds for Kichibouguac Bridge.

The

Westmorland Bye
Roads, *Continued*.

The sum of twenty pounds for the road from the Great Road at Charter's in Dorchester to Benjamin Landrie's.

The sum of ten pounds for the road from Cook Smith's, in Dorchester, to Sackville Town line.

The sum of twenty pounds for the road from Thomas Le Blanch's, in the Lake Settlement to Kichibouguac Lake.

The sum of fifteen pounds for the road from John Raworth's to the Emigrant road.

The sum of seventy five pounds for the road from John Well's at Square Lake, to open the new line of road to Point Migic Road ; fourteen pounds of which to be paid Philip Palmer, Deputy Surveyor, for exploring and making survey of said road, and from the same to the head of Jolecure Lakes.

The sum of thirty five pounds for the road from three mile Camp, on said road, to the head of Jolecure Lakes.

The sum of ten pounds for the road from the Beech Hill road to John Lander's.

The sum of fifteen pounds from Morang Tarrion's to John Gallang's ; two pounds ten shillings of which to be paid Simon Lezere, for over expenditure.

The sum of ten pounds for the road from Josiah Hick's to Toler's Island.

The sum of ten pounds for the road from the Great Road to Cole's Island.

The sum of ten pounds for the road from Nathan Merrill's to the Dorchester Road.

The sum of ten pounds for the road from Tedish to the Little Cape, by the way of Cape Bald.

The sum of five pounds for the road from Belonia Budrot to the Back Settlement ; ten shillings of which to be paid Sylvan Arseneau for over expenditure.

The sum of five pounds for the road from Joseph Cornea's to Joseph Leblanc's.

The sum of five pounds for the road from the Great Shemogue road to John Downing's at the Ferry.

The sum of twenty pounds for the road from Bay Verte to Dobson's.

The sum of ten pounds for the road up the east side of the Memramcook, past Patrick Gayton's.

The sum of ten pounds for the road from John Palmer's to second Westcock Hill.

The sum of twenty pounds for the road from Gilbert Forsyth's in New Horton to Cape Enrage.

The sum of fifty pounds for the road from German Town to Point Wolf Harbour.

The sum of fifteen pounds for the road from New Ireland to Salmon River.

The sum of ten pounds for the road from William Fillmore's to Daniel Copp's on the Ridge.

The sum of fifteen pounds for the road from John Ritchie's to Stephen Style's on Crooked Creek.

The sum of twenty pounds for the road from Ezra Pick's to the Memel road inclusive ; of which sum fifteen pounds to be paid John Rogers.

The sum of twenty five pounds for the road to the Caledonia Settlement from Hopewell.

The sum of fifteen pounds for the road from Ezra Pick's through the Haley Settlement.

The sum of ten pounds for the road from the Great Road to Aaron Robinson's.

The sum of forty pounds for the road from Hamilton's in Hopewell to Hillsborough.

The

The sum of fifty pounds for the road from M'Latchy's Bridge to Stoney Creek, thence to Mill Creek. Westmorland Bye Roads, Continued.

The sum of twenty pounds for the road from James Gunning's to Henry Steeves'.

The sum of fifteen pounds for the road from Henry Steeves' to the Irvine Settlement.

The sum of fifteen pounds for the road from Chapman's up Turtle Creek.

The sum of fifteen pounds for the road from Thomas Colpitts' Mill through to the Coverdale River Road, and thence to Robert Colpitt's.

The sum of twenty five pounds for the road up Pollet River to John Geldart's ; of which sum twenty pounds to be paid Thomas Colpitt's.

The sum of ten pounds for the road from Daniel Wheaton's to Robert Dobson's.

The sum of ten pounds for the road from Abner Taylor's on the North River to the Lewis Settlement.

The sum of fifteen pounds for the Road from George Colpitt's, up Coverdale River.

The sum of fifteen pounds for the road from Robert Scott's to North River.

The sum of ten pounds for the road from the Great Road in Hillsborough to the Round Hill.

The sum of ten pounds for the road from Alexander Cane's to George Colpitt's Mill.

The sum of fifty pounds for the road from the Bend to the Mountain Settlement inclusive.

The sum of fifty five pounds for the road from the Bend to Irishtown.

The sum of fifteen pounds for the road from Irishtown to the French Settlement.

The sum of five pounds for the road from William Duffy's to Abraham Steeves', in Hillsborough.

The sum of thirty five pounds for the road from near Gabriel Herbert's, through Downing and Beliveau Villages, and thence by the Chapel to the Great Road.

The sum of thirty pounds for the road from Ralph Carter's to the Peticodiac River.

The sum of seven pounds ten shillings for the road from James Crandall's to Bell's Farm.

The sum of twenty pounds for the road from Shediak road through the French Minudie Settlement.

The sum of ten pounds for the road from John Harris' to Jacob Trites, thence to Brown's Mill.

The sum of thirty pounds for the road from the Great Road to the Butternut Ridge.

The sum of seven pounds ten shillings for the road from the road at the Chapel at Dorchester to the Cove ; of which sum five pounds to be paid Amang Cormier.

The sum of ten pounds for the road from P. M'Ginley's to David Johnston's.

The sum of five pounds for the Marsh road from the Cape road to Cole's Point.

The sum of seven pounds ten shillings for the road from Charles Tibido's to Lorang Lezere's.

The sum of seven pounds ten shillings for the road over Budrot's Marsh.

The sum of fifteen pounds for the road from Robert Colpitt's, Junior, to the King's County line, near J. Hoyt's.

Westmorland Bye
Roads, *Continued*.

The sum of five pounds for the road from the Caledonia road to Eben Wilber's.

The sum of five pounds for the road from the Great Road to Peter Jonah's.

The sum of five pounds for the road from the main road near Stoney Creek to Thomas Roger's.

The sum of five pounds for the road from the Shediack road to the Beliveau Settlement.

The sum of fifty pounds for the road from George Cook's to the Joggins; of which forty pounds to be paid John Palmer.

CARLETON BYE ROADS.

Bye Roads in
Carleton.

The sum of seventy pounds to improve the road and Bridges from Patchell's Ferry to Daniel Shaw, in Northampton.

The sum of twenty five pounds to improve the road from Elisha Cogswell's to the Newburgh Settlement, to be principally laid out in the further end of the Settlement.

The sum of seventy five pounds to improve the road and Bridge from Daniel Shaw's to the Begaguimick; the principal part to be expended on the Deep Creek Hill, and building a Bridge near Noble's.

The sum of seventy pounds to improve the road from the mouth of the Begaguimick, on the southerly side, to William Seely's, to open the new part of the road.

The sum of ten pounds to improve the road from William Seely's, past James Clarke's to Joseph Clarke's.

The sum of fifteen pounds to improve the road from the mouth of the Begaguimick on the northern side, and up the Cold Stream.

The sum of ten pounds from the Cold Stream up the Begaguimick.

The sum of fifteen pounds to open a new road from the Cold Stream to the River, near Rideout's.

The sum of ten pounds to open a new road from James Dyer's to a back settlement in the rear of M'Isaac's.

The sum of sixty five pounds to improve the road and build a Bridge from the Begaguimick to the Monquot.

The sum of ten pounds to improve the road from the Monquot Stream to the back Settlement.

The sum of twelve pounds to improve the road from John Wright's Farm to a back Settlement in Andover.

The sum of twenty pounds to improve the roads and Bridges from the Monquot to Richard Wharton's.

The sum of sixty pounds to improve the road from Richard Wharton's to the Tobique.

The sum of fifteen pounds for the road from the Tobique to the Salmon River.

The sum of ten pounds to improve the road from Thomas Gee's to the back Settlement in the Parish of Wicklow.

The sum of ten pounds to improve the road from the Eight Mile Tree, on the Restook Portage, to the River.

The sum of five pounds to improve a Cross Road on the Portage, four miles above the Restook River to the River Saint John.

The sum of ten pounds to improve the road from Ballard's, at the mouth of the Restook, up to the mouth of the same.

The sum of eleven pounds for the road from Benjamin Tibbett's to a back Settlement.

The

The sum of ten pounds to improve the road from Thomas Pomfrey's to a back Settlement. Carleton Bye
Roads, *Continued.*

The sum of ten pounds for opening a road from O'Connor's Creek to a back Settlement.

The sum of twenty pounds to improve the road from Boyer's Mill to a back Settlement.

The sum of fifteen pounds to improve the road from Charles Lewis' in a northerly direction past William Stewart's.

The sum of ten pounds to improve the road near Kerr's to a back Settlement.

The sum of forty five pounds to improve the road from M'Kean's to the further end of the Settlement.

The sum of eight pounds on the Ferry Road above Elisha Shaw's.

The sum of twelve pounds to improve the road from James Jones' above the Little Presqu' Isle to a back Settlement.

The sum of thirty five pounds to improve the road from Burpe's Mill to the River near Boyer's; ten pounds of the same to be laid out from the Highway to the River.

The sum of twenty pounds from the Little Presqu' Isle to Robert Gurney's; a part of the same to improve a Bridge near Simmon's.

The sum of twenty pounds to improve the road from William Mallory's, in a southerly direction to the Mill.

The sum of forty five pounds to improve the road from William Lindsay's and Hannah's, past Rufus Payson's, to M'Laughlan's.

The sum of fifteen pounds to improve the road from James M'Laughlan's to the Falls on the north branch of the Meduxnikick.

The sum of ten pounds for the road from William Lindsay's to William Bell's on the Meduxnikick.

The sum of twelve pounds to improve the road past Chapman's, through the Moody Farm to the Jackson Town Road.

The sum of twenty five pounds to improve the road from Henry Sharp's, past George Wilson's to Richard Martin's; to be laid out on the road which is now opened.

The sum of twelve pounds to improve the road from Martin's to Bell's.

The sum of sixty pounds to improve the road from Jacob Estabrook's through the Williamstown Settlement.

The sum of ten pounds to improve the road from Johnston's to James Dunn's.

The sum of ten pounds to open a road near Rufus Payson's, through to the upper School House.

The sum of ten pounds to improve the road from Robert Hume's to Jonathan Tracey's to the Jackson Town Road.

The sum of fifteen pounds to improve the road from Henry Sharp's to the River, near the Court House.

The sum of forty pounds to open a road, to commence a little above the Meduxnikick, across the late Richard Smith's Farm, Baker's and Phillips', to intersect the road leading from Henry Sharp's to the Meduxnikick, according to the Petition of Elisha Cunliffe, and F. Morehouse, Commissioners of Highways, and ninety nine others.

The sum of sixteen pounds eight shillings and six pence to Joseph Rideout, for balance of his account.

The sum of eighty eight pounds eleven shillings and six pence to William Emsley, to assist him in paying off balance due for building Monquot Bridge.

The

Carleton Bye
Roads, *Continued*.

The sum of ten pounds to improve the road on the lower line of the Woodstock Grant, near Eel River.

The sum of sixty pounds to improve the road from near Judge Beardsley's to M'Donald's, in the back Settlement.

The sum of fifteen pounds to improve the road from the lower line of the Glebe Lot, in Woodstock to the back Settlement.

The sum of five pounds to improve the road from John Beardsley's to the back Settlement.

The sum of twenty pounds to open the road from Amos E. Tierney's down the Meduxnikick, to intersect the Houlton Road.

The sum of twenty pounds for the road from M'Indoe's to Peabody's Mill.

The sum of fifteen pounds from Peabody's Mill to the Falls of the Meduxnikick.

The sum of twelve pounds for the road from the Falls of the Meduxnikick towards M'Bride's Settlement.

The sum of ten pounds for the road from Richmond Corner to Peabody's Mill.

The sum of twenty five pounds to improve the road from the Houlton Road, near Hillman's to George Gartly's.

The sum of fifteen pounds to improve the road from George Gartly's to the Meduxnikick.

The sum of ten pounds to improve the road from Wolhaupter's to Fleming's.

The sum of thirty pounds to improve the road from Richmond Corner to the Hogden Road.

The sum of fifteen pounds for the road from M'Kenzie's Corner to Perley's Mill.

The sum of fifteen pounds to improve the road from Perley's Mill, past Ivey's, to the M'Donald Settlement.

The sum of fifteen pounds to improve the road from the Hogden Road, past Atkinson's, to the Houlton Road.

The sum of fifteen pounds to improve the road from the School House in the Irish Settlement, past Daly's, to the further end of the Settlement.

The sum of fifteen pounds to improve the road from the Hogden Road, past Yerxa's and Green's, to the further end of the Settlement.

The sum of ten pounds to improve the road from the Hogden Road to Fleming's and Crane's.

The sum of twenty five pounds to improve the road from M'Kenzie's Corner, in a southerly direction past Woodward's and Blue's.

The sum of ten pounds to improve the road from Richmond road to William Bull's, to the Hogden Road.

The sum of five pounds to Abner Bull, as commission due him on money paid the Contractors for building the Bridge over Bull's Creek.

SUNBURY BYE ROADS.

Bye Roads in
Sunbury.

The sum of fifty pounds for the road from George Boon's to Ezekiel Seely's.

The sum of ten pounds for the road from Isaac Cogswell's to the Garey Road.

The sum of fifteen pounds for the road from Daniel Wood's to the South Branch Road.

The sum of ten pounds for the road from Jeremiah Smith's to the Garey road.

The sum of thirty pounds for the road from Richard Kimball's farm to John Bell's.

The sum of ten pounds for the road from South Branch road to Scoullar's Mills.

The

The sum of ten pounds for the road to a New Settlement near Walter Pat-
terson's. Sunbury Bye
Roads, *Continued*.

The sum of twenty pounds for the road from South Branch Bridge to Thomas Hartt's.

The sum of twenty pounds for the road from Thomas Hartt's to Solomon Tracey's.

The sum of seventy five pounds for the road from Rushagonis to Hartt's Mills.

The sum of fifteen pounds for the road from Hartt's Mills to Diamond Square.

The sum of fifteen pounds for the road from Burpe's Mill through the Gordon Settlement.

The sum of twenty pounds for the road from William Dow's to J. M. Wilmot's Farm.

The sum of fifty pounds for the road from Rushagonis to William Dow's.

The sum of twenty pounds for the road from John Bell's to Burpe's Mill.

The sum of ten pounds for the road from the road near Jones' at Rushagonis, to the Oromocto River, opposite to John Wood's.

The sum of eighty pounds for the road from John Hoyt's to the County line between Queen's and Sunbury ; twenty pounds of which to be expended between John Hoyt's and Daniel Timmin's.

The sum of five pounds for the road from John Bailey's to the Block House.

The sum of twenty pounds for the road leading from Thomas Hartt's to Thomas Mersereau's.

The sum of fifteen pounds for the road leading from the south Branch Road to John M'Laughlin's.

The sum of fifteen pounds to widen the road at Burpe's Mill Dam.

The sum of ten pounds for the road from Thomas Hartt's to the public landing.

The sum of twenty pounds for the road from John Peabody's to John Morgan's.

The sum of ten pounds for the road from Jeremiah Gillan's to Abner Mersereau's.

The sum of sixty five pounds for the road from the French Lake Road to the Little River Mills in the Parish of Sheffield.

The sum of twenty five pounds for the road from Oak Point to Sand Point.

The sum of sixty pounds for the road from the Highway in Burton, at or near Jacob Smith's to the Nerepis Road.

The sum of five pounds for the Blind Thoroughfare to the Little River Road.

The sum of fifteen pounds for the road from Hamilton's Road to the Little River Road.

The sum of ten pounds to improve the road from Jacob B. Smith's in Burton, to S. Burpe's upper line.

The sum of twenty pounds for the road from William Boon's to Thomas Stennix's.

The sum of twenty pounds for the road from John Seely's to Abner Mersereau's.

The sum of ten pounds for the road from Scoullar's Mills to Clapman Smith's, Junior.

The sum of fifteen pounds for the Bridge at the Blind Thoroughfare.

The sum of ten pounds for the road from William Armstrong's to James Mills'.

The sum of ten pounds for the road from Andrew Smith's to James Johnston's.

The sum of five pounds for the road from Daniel Dow's to Charles Johnston's.

NORTHUMBERLAND BYE ROADS.

Bye Roads in
Northumberland

The sum of two hundred and twenty one pounds towards building a Bridge across Oyster River.

The sum of ten pounds for the road on the east side of the Big Bartibog River, from Moody's point to the head of the tide.

The sum of ten pounds to explore and open a road to the newly formed settlement between Bartibog and Miramichi River.

The sum of twenty nine pounds for the road from Bartibog to Tabisintac.

The sum of forty nine pounds to pay Duncan M'Graw the balance of his contract for the erection of Black River Bridge.

The sum of forty pounds towards improving the road run by C. J. Peters, Esquire, on the north side of Black River, between Walsh's farm and the Bridge across Black River.

The sum of twenty pounds to improve the road between Black River Bridge and the little Branch Bridge.

The sum of twenty pounds to improve the road between little Branch Bridge and Horton's Creek.

The sum of twenty pounds to improve the road from Horton's Creek to John M'Donald's farm, on the Bay du Vin River.

The sum of twenty pounds to improve the road from John M'Donald's farm to Kingston's farm, on Bay du Vin River, and thence to Grogan's Mills.

The sum of twenty pounds to improve the road on Black River, from the Richibucto Road to the Settlement four miles upwards.

The sum of eighty pounds towards opening and improving the road from George Williston's farm to Eel River.

The sum of seventy pounds towards the erection of a Bridge across Taxes River.

The sum of ten pounds towards improving the road from William Hogan's farm to M'Allister's, in the Parish of Blissfield.

The sum of ten pounds towards improving the road from M'Allister's, in the Parish of Blissfield, to Robert Doak's farm.

The sum of thirty pounds towards improving the new line of road on Cain's River; of which sum nineteen pounds six shillings and four pence, to pay Thomas N. Underhill balance due him.

The sum of twenty pounds to improve the road on the north side of Renous' River, between Patrick Wheeler's and Indian Town.

The sum of twenty five pounds towards improving the new line of road from Lee's farm to James Donaldson's, on Renous River.

The sum of fifteen pounds to improve the road from Doak and M'Laggan's Mills to the mouth of the Dungarvon, on the Renous River.

The sum of twenty pounds towards opening and making the road from Doak and M'Laggan's Mills to the Upper Settlement on Bartholemew's River.

The sum of fifteen pounds towards exploring and opening a road from Cain's River, on the south side of the south west Branch of the Miramichi, up till it strikes the road to the Settlement on Cain's River, coming out at John Donald's farm.

The sum of twenty pounds to explore and open a road from Saunders' Grist Mill to the Settlement on the right hand Branch of Barnaby's River.

The sum of twenty five pounds to improve the road from Dennis Kirk's, on the east side of Barnaby's River to Joseph Hutchison's farm.

The sum of forty pounds to improve the new line of road laid out by D. Crocker, on the south side of the south west Branch of Miramichi; of which
sum

sum thirty one pounds sixteen shillings to be paid to the Contractor for the Bridge across Clark's Cove.

Northumberland
Bye Roads, *Con-
tinued.*

The sum of twenty pounds to improve the road between Nelson Village and Barnaby's Island, of which sum twelve pounds eight shillings and six pence to be paid David Crocker for balance due him.

The sum of ten pounds to improve the road from Sutton's Barn to the third tier of Lots.

The sum of twenty pounds to improve the road on the south side of Barnaby's River, to the Semiwagan Ridge.

The sum of sixty pounds to improve the road from George Flett's farm to Barnaby's River, through the Nowland Settlement; of which sum fifty five pounds ten shillings and six pence to be paid David Crocker, being the balance due him.

The sum of one hundred and thirty four pounds to improve the road on the north side of the north west, from Menzie's farm to the head of the tide.

The sum of twenty pounds to complete the road from Hutchison's Ferry to the Main Road, below the North West Mills.

The sum of twenty pounds to complete the road from the North West Mills to Stewart's farm.

The sum of twenty pounds to improve the road from Cuppage and White's to James Holme's farm, on the south west.

The sum of twenty pounds to improve the road from Wildcat Brook, through the Indian Reserve, to Peabody's New Richmond Farm.

The sum of ten pounds for the road from the Meeting House, below David Tozer's, to the M'Lean Settlement, Williamstown.

The sum of twenty pounds to improve the road from Beaubair's Point to Cuppage and White's.

The sum of twenty pounds to improve the road from the north west to the south west Branch of the Miramichi, through the Williamstown Settlement.

The sum of forty pounds to pay Andrew Hay for making a road from Campbelltown to Bojestown.

The sum of fifteen pounds to improve the road from George Johnston's, on the south side of Napan River, to M'Knight's Grist Mill.

The sum of ten pounds to improve the road from M'Innes' Creek to Point aux Car.

The sum of ten pounds to improve the road from the new Bridge across Black River to Napan River, near M'Knight's Mill.

The sum of five pounds to improve the road from M'Cully's farm to Hannah's farm, Napan River.

The sum of ten pounds to continue and connect the rear road in the Parish of Chatham with the road leading to the back lots in rear of John Henderson's farm.

The sum of six pounds to improve the road to John Creighton's farm, on the north side of Napan River, leading from Saint John's Church, Chatham.

The sum of ten pounds to improve the road in front of the second tier of Lots to the third tier of lots in rear of Saint Paul's Church, Chatham.

The sum of ten pounds to improve the road to the rear Lots next below the Parsonage, Chatham.

The sum of ten pounds to improve the road from Saint John's Church, Chatham, to the Upper Settlement, Napan River, to be laid out on the road from the rear of the first concession of Lots to the Napan River.

The

Northumberland
Bye Roads,
Continued.

The sum of ten pounds for the road on the north side of the Richibucto road, from William Dickens' residence to the Bay du Vin River at the City landing.

The sum of ten pounds to improve the road above Henderson's Cove, from John Casey's to Rust's farm on the rear lots.

The sum of ten pounds to improve the road in the rear of the front Lots in Newcastle, above Mill Cove, from Rust's farm to the Chaplin Island Road.

The sum of ten pounds to improve the road up the North West from where it strikes off above Fiddes' through the Indian Reserve.

The sum of twenty five pounds to pay Donald M'Donald balance due him on completion of last year's contract.

The sum of ten pounds to improve the road between Lots fifty four and fifty five, and to continue the same to the Green Brook on the Bartibog.

The sum of ten pounds to open and lay out a road from the lower line of William Gordon's lot, running to the Settlement on Little Bartibog, known as Coltart and Skee's Settlement.

The sum of ten pounds to continue the road from Southart's to M'Ewan and Gyher's in rear of Moorfield's.

The sum of ten pounds to improve the road from the Bathurst road, leading up Bartibog, and cutting down the steep Hill in rear of Collector Wright's farm.

The sum of five pounds to improve the road leading to the Quigly Settlement from the Bathurst Road.

The sum of ten pounds to improve the road from Bartibog Bridge downward to M'Cashy's on the north side of Bartibog.

The sum of seventy pounds to improve the road from Newcastle to Chaplin's Island.

The sum of fifteen pounds to pay J. A. Street, Esquire, balance due him for erecting a Ferry Slip opposite the Town of Newcastle.

SAINT JOHN COUNTY BYE ROADS.

Bye Roads in St.
John County.

The sum of sixty pounds for the road from Blakeslee's farm to Little River; forty three pounds ten shillings of which to be paid R. Calvert, balance due him for erecting a Bridge over Little River.

The sum of seventy pounds from Frog Pond to Loch Lomond, and to repair the Bridge near Cody's.

The sum of twelve pounds from Black Settlement road to Garnett's.

The sum of fifty pounds from Garnett's, by Clark's Mountain, to Emerson's Creek Mountain road, so called.

The sum of twenty five pounds for a new Bridge on the Road from Little River to Mispeck, and thence onwards and for the road itself.

The sum of twenty five pounds for the road from Little River to Loch Lomond.

The sum of thirty five pounds for the road from Little River to Black River, to be expended from the east side of Calvert's farm to Black River.

The sum of twenty five pounds from the old Westmorland Road through the Golden Grove Settlement.

The sum of twenty pounds for the road from Cody's to head of First Lake.

The sum of seventy pounds for the road from head of First Lake to Quaco.

The sum of twelve pounds for the road from Mispeck Mills towards Cape Spencer.

The sum of twenty five pounds for the new road opened by Brown and others, past Brown's Mills to Tynemouth.

The sum of thirty pounds from Black River to Emerson's Creek, and thence to

to Gardner's Creek, including a Bridge across Emerson's Creek, and to causeway from the Bridge to the upland, south side.

St. John County
Bye Roads,
Continued.

The sum of ten pounds to improve the hill at the School House, on south side of Emerson's Creek.

The sum of ten pounds to improve William's Hill, so called, Black River Settlement.

The sum of ten pounds for the road from Cother's road, so called, across the Bridge at the head of Second Lake, to the County line towards Miller Smith's.

The sum of fifty pounds for the road from the Black Settlement road, near Cody's, to the Quaco road, through Wilmot's farm.

The sum of four pounds ten shillings to be paid Widow Ryan, balance due her late husband on a contract, credited in accounts of late Commissioner Peters.

The sum of thirty pounds for the road from the Quaco road through the Ryan Settlement to the new Shepody road.

The sum of ten pounds for the road from the Millican Settlement, to Hammond River.

The sum of fifteen pounds for the road from Quaco to the County line, near Tabor's.

The sum of twenty pounds for the road from Dipper Harbour School House to the Saint Andrews road.

The sum of ten pounds to finish opening the road through the Bloomsbury Settlement, to intersect the M'Bratney road.

The sum of fifteen pounds for the road from John Davidson's to the old Quaco road.

The sum of twelve pounds for the road from Millican's road past Cain's, to the County line.

The sum of twelve pounds for the road from Quaco road near Maher's, to Tynemouth, by John Brown's.

The sum of ten pounds for the road from Black Beach to Pisarinco.

The sum of ten pounds for the road from Sand Cove to the main road.

The sum of twenty pounds for the road near the Church, Quaco road, to Barnes' Mill and Church road.

The sum of ten pounds for the road from the Bridge across the Thoroughfare, at the head of large Loch Lomond, to the County line.

The sum of ten pounds for the road towards Hammond River near Beattie's.

The sum of thirty pounds for the road from Cody's to the School House in the Hiberian Settlement.

The sum of fifteen pounds for the road from the above School House to the Forks of the road opened by Brown and others, towards Tynemouth.

The sum of twelve pounds for the Bridge across the Creek at Craft's Mills, on the road to Saint Andrews.

The sum of forty pounds for the Bridge across Gardner's Creek.

The sum of ten pounds for the road from Maher's west line to Harding's Mill.

The sum of twenty five pounds for the road from the Highway near Delaney's to the Kennebecasis.

The sum of fifteen pounds for the road leading to Sand Point.

The sum of twenty five pounds for the road from Indian Town to Kennebecasis, opposite the Brothers.

The sum of fifteen pounds for the road from Boar's Head to the road near M'Crosken's.

The sum of twenty five pounds for the road from the Highway, near Indian Town, to Mackay's Mill.

St. John County
Bye Roads,
Continued.

The sum of seventy five pounds towards a Bridge across Mackay's Mill Stream, and for the road.

The sum of forty five pounds for the Bridge over the stream which crosses the road from Delaney's to Kennebecasis.

The sum of fifteen pounds for the road from the Narrows of Musquash to the Saint Andrews road.

The sum of fifteen pounds for the road from Black Beach to the Saint Andrews road, by way of the Irish Settlement.

The sum of seven pounds for the road from the Settlement near Menzie's to the Saint Andrews road.

The sum of ten pounds for the road from the Saint Andrews road to the Nerepis road, near Vaughan's House at the Long Bridge.

The sum of thirty pounds for the road from the Quaco road to the County line near Reed's farm; nine pounds seventeen shillings and six pence to be paid James Cother, due him.

The sum of ten pounds for the road from near Barry's Mills to the Loch Lomond road.

The sum of twenty five pounds for the road near M'Bratney's past M'Laren's Mill, (M'Laren's road so called); fifteen pounds of which to be paid J. R. Partelow, for advances made last year, the road being omitted in the Bye Road Appropriations.

The sum of ten pounds to open a road from Golden Grove to Loch Lomond.

The sum of twenty five pounds for the road from Great Salmon River to Quaco.

The sum of thirty pounds for the road from the Shepody road at or near Schoales', to the Great Salmon River, and for a Bridge over Salmon River.

The sum of thirteen pounds ten shillings for the road from the Great Salmon River to the Shepody road.

YORK COUNTY BYE ROADS.

Bye Roads in
York County.

The sum of thirty pounds for the road leading from the River Saint John to the Howard Settlement.

The sum of seven pounds to open a road from the Howard Settlement to Dow's Mill.

The sum of fifteen pounds for the road through the Poquiock Settlement.

The sum of twenty pounds for the road from the Poquiock Settlement to the Magundy.

The sum of fifteen pounds for the road from the School House, Magundy, to James Brown's.

The sum of twenty five pounds for the road from Carson's in the Poquiock Settlement to Wilson's Mills.

The sum of twenty five pounds for the road from John Gray's to the Magundy Settlement.

The sum of twenty pounds to improve the road leading from Donelly's base line, to the Lake George road.

The sum of ten pounds for the road on the Base line, Magundy, from Number one to Number sixteen.

The sum of sixty pounds to alter and improve the road from the Magundy Settlement to the Magaguadavic Ridge.

The sum of twenty pounds to rebuild the Bridge over Long's Creek, below Gilmour's Mills.

The

The sum of ten pounds for the road from Nicholas Barker's to Abram's.

The sum of fifty pounds for the road leading to and through the Smithfield Settlement.

The sum of twenty five pounds for the road from Lawrence Grant's Southampton, to the Campbell Settlement.

The sum of twenty pounds for the road leading to and through the upper Caverhill Settlement towards the lower Settlement.

The sum of thirty pounds for the road leading to and through the lower Caverhill Settlement towards the upper Settlement.

The sum of fifteen pounds for the road from Mitchell's to Adam Jackson's, thence to Fleming's.

The sum of fifty five pounds for the road from Adam Jackson's, by Stewart's, to the River Saint John.

The sum of seven pounds for the road from the Scotch Settlement to Reuben Lyon's.

The sum of eighteen pounds for the road from the mouth of the Mactaquack to the Scotch Settlement.

The sum of sixty five pounds for the road from Jacob M'Keen's to Mauzeroll's Ferry.

The sum of fifteen pounds for the road from Humphrey Sisson's to James Whitehead's.

The sum of twenty five pounds for the road from the Tripp Settlement to the Keswick.

The sum of fifteen pounds for the road from Darius Burt's to Gould Crouse's.

The sum of ten pounds for the road from the School House beyond Moses Lawrence's to William Estey's.

The sum of five pounds for the road leading to the Hurlet Settlement.

The sum of eight pounds for the road leading from the Royal Road to Charles King's.

The sum of thirty five pounds for the road from William John's, through the Bird Settlement to Jones' Mills.

The sum of twenty pounds to remunerate David Burt for the erection of a Bridge across Jones' Millstream.

The sum of seventy pounds for the road from the south branch of the Tay to Stone's; of which a sum not exceeding ten pounds to be expended in altering, if necessary, and improving the road leading towards Stanley, by Mick's, and a like sum to be expended in improving the road through Cardigan, if the Commissioner thinks it necessary.

The sum of fifteen pounds for the road from the Cardigan road to the Company's road through Jones and George's Settlement.

The sum of ten pounds for the road from the Tay Creek road to John Larkin's.

The sum of five pounds to open a road from the Cardigan road, through Jones and Sanson's to William Davidson's.

The sum of twenty pounds to remunerate Andrew Hay for expenses incurred by him in completing a road on the Company's Land.

The sum of fifteen pounds for the road around Clarke's Hill on the Nashwaak.

The sum of fifteen pounds to improve the road at the Meeting House, Nashwaak.

The sum of seventy five pounds to open and improve a road from David Brown's to the Great Road leading from Fredericton to Newcastle.

The sum of fifty pounds towards erecting a Bridge across the Taxis River.

The

York County
Bye Roads,
Continued.

The sum of twenty five pounds for the road leading from the Alms House in Fredericton to the New Maryland Road.

The sum of sixty pounds for the road from Fredericton to the New Maryland Settlement.

The sum of fifteen pounds for the road from the School House, New Maryland, to Israel Smith's.

The sum of fifteen pounds for the road from Israel Smith's to the County line, and to alter the same, if necessary.

The sum of fifteen pounds towards erecting a Bridge across the Rushagonis Stream, leading to the Little Settlement.

The sum of twenty pounds for the road leading to and through the Little Settlement.

The sum of ten pounds to open a road from the Hanwell Settlement to Little's Mills.

The sum of fifty pounds to explore and open a road between the Little Settlement and the Great Road leading from Fredericton to Saint Andrews, near the Lake; a sum not exceeding ten pounds of which to be expended in exploring the best route for the said road.

The sum of fifteen pounds to improve the road leading from the continuation of Smyth Street towards the Fredericton Glebe.

The sum of fifteen pounds to remunerate Daniel Jouett, for the erection of a Bridge across the Mactaquack.

The sum of fifteen pounds towards erecting a Bridge on the Attorney General's Hill and to improve the road.

The sum of twenty pounds to alter and improve the road leading to the Settlement, in the rear of M'Leod's Hill, from the Nashwaaksis, by the Royal Road.

The sum of five pounds to improve the road leading from the Royal Road to Jenkin's, in Hampton.

The sum of two hundred and fifty pounds to open a new line of road from John M'Gibbon's to Shepherd's, along the front in the Parish of Douglas, as laid out by the Commissioners.

Bye Roads in
Charlotte County.

CHARLOTTE COUNTY BYE ROADS.

The sum of ten pounds for the road from the Chiputnecticook Ridge to Daniel Campbell's, in Saint James.

The sum of ten pounds for the road from John Pomeroy's to the Kirk in Saint James.

The sum of fifteen pounds for the road from Hitching's Mill to the Little Ridge in Saint James.

The sum of ten pounds for the road from Hitching's Mill to the Kirk in Saint James.

The sum of sixty pounds for the road from Jones Jackson's to Hitching's Mill, in Saint James, and to repair the Bridge across the Moannes Stream.

The sum of thirty pounds for the road from Mrs. Spence's to Clarke's Point in Saint James.

The sum of twenty five pounds for the road from the Kirk over the Basswood Ridge to Oak Hill in Saint James.

The sum of fifteen pounds for the road from the new Church through Oak Hill, to the Canous Stream, in Saint James.

The sum of twenty pounds for the road from Peake's to the Baillie Settlement in Saint James.

The

The sum of fifteen pounds for the road from the M'George Settlement, through the Lynnfield Settlement, towards Saint David's.

Charlotte County
Bye Roads,
Continued.

The sum of ten pounds for the road from Milltown, to Richard Barter's, in Saint Stephen.

The sum of sixty pounds for the road from the Basswood Ridge, in Saint James, to Samuel Stuart's in Saint Stephen.

The sum of thirty pounds for the road (leading from the road from Milltown to Richard Barter's), to the farthest settlement on the Little Ridge.

The sum of ten pounds for the road from Alexander M'Kay's towards M'Kay's Mill in Saint James.

The sum of fifteen pounds for the road from Joel Hill's to the upper Mills in Saint Stephen, and to rail the Bridge across the Moannes Stream.

The sum of twenty pounds to repair the Bridge near the Watt Tannery, and the Bridge near John Grimmer's in Saint Stephen.

The sum of fifteen pounds for the road from the Ledge to the Head of Oak Bay, in Saint David, to be expended in making a Bridge at the foot of the Steep Hill on said road, and carrying the road around the side of the Hill.

The sum of eight pounds to build a Bridge across the Fenderson Brook, in Saint James.

The sum of ten pounds to assist in cutting down the Hill near Henry Keezer's, in Saint David.

The sum of ten pounds for the road from Joseph Hill's to James Stephenson's in Saint David.

The sum of ten pounds to assist in building a Bridge between Michael Young's and Jacob Young's in Saint David.

The sum of ten pounds for the road from the main road to Thomas Mitchell's, in Saint David.

The sum of ten pounds for the road from Tower's Corner to Robert Ferguson's, in Saint David.

The sum of ten pounds for the road from John Nisbett's, in Saint David, to Simmond's, in Saint James.

The sum of ten pounds for the road from the main road to John Wilson's, in Saint David.

The sum of ten pounds for the road from the old Meeting House Corner, in Saint David, to Jesse Grimmer's, in Saint Stephen.

The sum of fifteen pounds for the road commonly called the Board Road, in Saint David.

The sum of twenty pounds for the road from Edwin Foster's, in Saint David, to Chase's in Saint Patrick.

The sum of twenty six pounds twelve shillings for the road from Valentine Sharman's to Oak Bay, in Saint David.

The sum of ten pounds for the road from Collin's to Gardner's in Saint David.

The sum of ten pounds for the road from Anderson's to Smith's in Saint David.

The sum of ten pounds for the road from Jacob Reid's, in Saint David, to the Great Road.

The sum of ten pounds for the road from Tower Hill to M'Lachlan's Hill in Saint David.

The sum of fifty two pounds eight shillings for the new road from Upton's Bridge, in Saint Stephen, to Foster's Mill road in Saint David, to assist in building Bridges and opening the same.

The sum of ten pounds for the road from Bartlett's to Connick's, in the Parish of Saint Andrews.

Charlotte County
Bye Roads,
Continued.

The sum of seven pounds ten shillings for the road from Brick Kiln Cove to Joe's Point, in the Parish of Saint Andrews.

The sum of seven pounds ten shillings to assist in gravelling the road from Indian Point to the Saint John Road.

The sum of twenty five pounds for the road from Welsh Pool to Todd's Corner, in the Parish of Campo Bello.

The sum of one hundred pounds for the road from Todd's Corner to Curry's Cove, in the Parish of Campo Bello.

The sum of twelve pounds ten shillings for the road from Curry's Cove to the Light House, in the Parish of Campo Bello.

The sum of twelve pounds for the road from Welsh Pool to Holmes' Beach, in the Parish of Campo Bello.

The sum of twelve pounds ten shillings for the road from Green Brook to Abner Bingham's, in the Parish of Grand Manan.

The sum of thirty pounds to build a Bridge over Woodbury's Mill Stream in the Parish of Grand Manan.

The sum of fifty pounds for the road from Davidson's Hill to Charles Ingall's in the Parish of Grand Manan.

The sum of sixty three pounds for the road from Craig's farm to Caleb Benson's in Seal Cove, Grand Manan.

The sum of seventy five pounds for the road from Northwest Harbour Bridge to Clam Cove, and thence to North Harbour public landing on Deer Island.

The sum of sixty eight pounds for the road leading from Welsh's Brook, near the Saint John Road, through Morrison and Sime's Grant, and thence to Pleasant Ridge, in Saint Patrick.

The sum of forty pounds for the main road on the eastern side of the River Digdeguash, by Peter Morrison's, towards the Rolling Dam, in Saint Patrick.

The sum of thirty pounds for the road on the western side of the Digdeguash River, by William Wilson's, towards the Rolling Dam, in Saint Patrick.

The sum of forty pounds for the road leading from the Rolling Dam to the eastern line of the Parish of Saint Patrick.

The sum of ten pounds for the road leading from James Kyle's Farm, in the Grove Settlement, on the west side of Bocabec Lake, in Saint Patrick.

The sum of twenty pounds for the road from Cathcart's to the Saint Andrew's line, in the Parish of Saint Patrick.

The sum of ten pounds to be reappropriated on the road from Peter Morrison's towards Clarence Hill, in Saint Patrick.

The sum of nine pounds for the road from Gilmour's to the Main Road on the eastern side of the river, in Saint Patrick.

The sum of fifteen pounds for the road from Hugh Thompson's on the Saint John Road, to John Wilson's new house, in the Parish of Saint Andrews.

The sum of ten pounds to assist in widening the road from the Poor House to John M'Curdy's, in the Parish of Saint Andrews.

The sum of ten pounds for the road from M'Nichol's Mills, to Alexander Dick's, in the Parish of Saint George.

The sum of ten pounds for the road from Alexander Dick's to Millikin's Mill Pond, in the Parish of Saint George.

The sum of ten pounds for the road from Millikin's Mill Pond to the Kirk in Saint George.

The sum of twenty pounds for the road from the late James Stewart's farm to John Dewar's in Saint George.

The

The sum of twenty pounds for the road from John Dewar's to Prince Baker's, in Saint George. Charlotte County
Bye Roads,
Continued.

The sum of twenty pounds for the road from Pomroy's Bridge to the Bridge at Lower Trout Brook, in Saint George.

The sum of fifteen pounds for the road from Pomroy's Bridge to Gillman's, on the old Fredericton Road, in Saint George.

The sum of twenty pounds for the road from Pomroy's to John Young's, at the second Falls in Saint George.

The sum of fifteen pounds for the road from the late James Ash's farm to Allanshaw's Mills, in Saint George.

The sum of ten pounds for the road from Kent's Mill to the River Magaguadavic, in Saint George.

The sum of ten pounds for the road from the Red Rock Mills to the upper Falls, in Saint George.

The sum of twenty five pounds for the road from Philo Seylee's to L'Etang, in Saint George.

The sum of fifteen pounds for the road from the Basin to L'Etang River, near Spinney's, in Saint George, to open a new road.

The sum of twenty pounds to assist in repairing the Lower Bridge over the Magaguadavic River, in Saint George.

The sum of twenty pounds to assist in rebuilding a Bridge and repairing the road from Murdoch M'Lean's to Samuel Kelly's, in Saint George.

The sum of twenty pounds for the road from Curry's Mill to the Saint John Road in Pennfield.

The sum of twenty pounds for the road from New River Mills to the Saint John Road near Pembleton's, in Pennfield.

The sum of fifteen pounds for the road from John Tatton's Farm to M'Dowald's, in Pennfield.

The sum of fifteen pounds for the road from John Crickett's landing to Justison's in Pennfield.

The sum of ten pounds for the road from Roger Traynor's to Thompson's Ship Yard, in Pennfield.

The sum of ten pounds for the road from John Boyd's Corner to Malcolm Mealey's, in Pennfield.

The sum of ten pounds for the road from Thomas Ferguson's Corner towards Spinney's, in Pennfield.

The sum of ten pounds for the road from M'Intyre's to the Stien Settlement, in Pennfield.

The sum of ten pounds for the road from M'Intyre's to the M'Vicar Settlement, in Pennfield.

The sum of eleven pounds for the road from James Murphy's to the road leading from Philo Seylee's to the mouth of L'Etang River, in Pennfield.

QUEEN'S COUNTY BYE ROADS.

The sum of ten pounds for the road between the Cross Roads near Thomas Keaton's and James Foster's, in the Shannon Settlement. Bye Roads in
Queen's County.

The sum of ten pounds for the road between the Forks of the road leading to the west Scotch Settlement and Washademoak, by way of John Shaw's Mill and Main Post Road, near Hugh Smith's.

The sum of ten pounds for the road from County Line between King's and Queen's to Alexander Stewart's Bridge.

The

Queen's County
Bye Roads,
Continued.

The sum of ten pounds for the road from John Stewart's Bridge to west Waterloo Settlement at William Woodstock's east line.

The sum of fifteen pounds for the road between the Cross Road near Thomas Keaton's and the County line near William Henderson's.

The sum of twenty pounds for the road between Lewis' Cove and Post Road, by way of John Haggard's.

The sum of ten pounds for the road from Thomas Robertson's to the County line.

The sum of ten pounds for the road from Thomas Robertson's to the Big Brook or road leading to Shaw's Mill.

The sum of ten pounds for the road on south west side of Mill Brook from where the Bridge passes over at the new Post Road to the old Post Road, passing Justin J. Wetmore's Saw Mill.

The sum of twenty pounds for the road between Charles Robinson's Lane and Ephraim Carpenter's south line.

The sum of six pounds for a Bridge across W. Murray's Brook.

The sum of twenty pounds for the road from Benjamin Fairweather's Bars on said road to King's Brook, at Anthony Flower's.

The sum of ten pounds for the road between the Public Landing, north east branch of Lewis' Cove and the Main Post Road, near Reuben Vantassel's, by way of Foster's Mill.

The sum of fifteen pounds for the road from William Morrel's to Thomas Ellison's, round the intervalle.

The sum of fifteen pounds for the road between Oak Point and Cross Roads near James Wilson's.

The sum of ten pounds for the road leading from the Washademoak Lake to the back Settlement, (Foster's,) between Grand Lake and Washademoak Lake, on line between John White's and James Mullin's.

The sum of ten pounds for the road from Charles Mastin's lower line to Samuel Nichol's upper line.

The sum of ten pounds for the road from Washademoak Lake to Cox's Mill, Grand Lake.

The sum of ten pounds for the old road leading from Washademoak Lake to Post Road, leading through Salmon Creek Settlement.

The sum of ten pounds for the raised way and Bridge near Vanwart's Mill.

The sum of ten pounds for a road on the line between Robert Golding's and John Murdock's to the Bald Hill Settlement.

The sum of ten pounds for the road leading from Long Creek on Washademoak Lake to Studholm's Mill Stream from Forks on east side of Murray's Mill to John Johnson's.

The sum of twenty pounds for the road from Shanahan Settlement road on south east side of Washademoak Lake to Lewis' Cove.

The sum of twenty pounds for the road leading from Timothy Shaw's to John Vanwart's.

The sum of ten pounds for the road from Newcastle through Hardwood Ridge, to remunerate Joseph M'Namara.

The sum of twenty five pounds for the road leading from Salmon River to the Hardwood Ridge.

The sum of twenty five pounds for two Bridges on Main Road from Fredericton to Saint John, one at G. Vanwart's and the other at John Smith's in the lower district of Hampstead.

The

The sum of fifteen pounds for the road leading through that part of Hampstead crossing the residence of John Smith and Fannen's Farm.

Queen's County
Bye Roads,
Continued.

The sum of thirty pounds for the road from Yorkshire Road from Inches' Corner to King's County line.

The sum of twenty pounds for the road leading from William Clark's to New Jerusalem Settlement.

The sum of thirty pounds for the road from Scovil Robert's Corner to New Ireland Settlement.

The sum of ten pounds for the road leading from David Spete's on the George Lyon's road through the Hopewell Settlement to Henry Lyon's Bridge.

The sum of ten pounds for the road from Long's Creek to King's County line, English Settlement.

The sum of ten pounds for the road from Long's Creek to the M'Farlane Settlement.

The sum of ten pounds for the road from Murray's Saw Mill to the Johnson Settlement.

The sum of ten pounds for the road from Hutchison's Irish Settlement to Murray's English Settlement.

The sum of ten pounds for the road from Palmer's Creek to Heal's English Settlement.

The sum of ten pounds for the road from Salmon Creek road to Long's Creek.

The sum of ten pounds for the road from the Forks of New Canaan to M'Donald's Mill, on North side of the Stream.

The sum of fifteen pounds for the road between M'Donald's and Humphrey's Mill Brook.

The sum of ten pounds for the road from Hugh Quin's Corner, on Gagetown Road, to King's County line, by way of Polly's Corner.

The sum of fifteen pounds for George Lyon's road from County line to Nerepis Stream.

The sum of thirty pounds for the road from Corner of George Dunn's Lot on Gagetown Road, to the Nerepis Road above Gillan's.

The sum of ten pounds for the new piece of road on west side of Grand Lake, across lands occupied by David Palmer.

The sum of fifteen pounds for the road leading from the Gagetown Road to the line through New Ireland.

The sum of fifteen pounds for the road from Lownsberry's Ferry to the Military Road.

The sum of fifteen pounds for the Bridge and repairs on road leading from Dingie's Mill to Simpson's farm.

The sum of ten pounds for the road from mouth of Long Creek to Obadiah Starkey's.

The sum of ten pounds for the road from James Starkey's to Samuel Coles'.

The sum of ten pounds for the road from John Seacord's to Samuel Coles'.

The sum of ten pounds for the road from John Seacord's to Charles Vincent's.

The sum of twenty pounds for the road from Thomas Hamm's to Patrick M'Lally's.

The sum of thirty pounds for the road from Coles' Island to Donald M'Donald's.

The sum of forty pounds for the Main Road from Alexander Clark's to New-castle Mills.

The sum of five pounds to Peter Yeamans, to remunerate Michael Dillon for work performed last year on a Hill near William Robertson's.

Queen's County
Bye Roads,
Continued.

The sum of fifteen pounds for the road leading from Cox's Point to the Beaver Pond.

The sum of ten pounds for the Bridge over the Slough.

The sum of five pounds for the road from the School House to Cumberland Bay on Richard Barton's lower line.

The sum of ten pounds for the road from Syphers' Pond to Little River.

The sum of ten pounds for the road leading from Newcastle Ferry at Baillie's, to connect it with the road leading from Grand Lake to Newcastle Mills.

The sum of ten pounds for the road leading from Cox's Mill through the back Settlement by Samuel Knight's, intersecting the Great Road leading from Washademoak to Jemseg.

The sum of seventy five pounds for the road from Jemseg to Coal Creek, on the line explored by John Earl, by Cumberland Bay Bridge.

The sum of fifteen pounds for the road in Young's Cove, leading from Wiggins' Mill up Young's Creek.

The sum of fifteen pounds for the road at upper range on south side of Grand Lake from Arthur Branscomb's upper line to Conrad Miller's lower line.

The sum of fifteen pounds for the road from George Burk's to the Ferry at Coal Creek.

The sum of ten pounds for the road from Cumberland Bay Stream.

The sum of ten pounds for the road from the old road at George Earle's Lot to Bald Hill Settlement.

The sum of twenty pounds for the road leading from Cumberland Bay Bridge to Lacky's.

The sum of ten pounds for the road leading from David Elder's, on the George Lyon's road through Jackson Settlement, to the Jerusalem Settlement.

The sum of twenty pounds for the road leading from Parks' Corner to Burgis' Corner on New Jerusalem road, by William Redston's Grist Mill.

The sum of five pounds for the road from New Church to Grand Point, Grand Lake.

The sum of twenty pounds for the road from the Church on the Gagetown road to Gillan's, Nerepis.

The sum of thirty pounds towards a Draw Bridge at Duck Creek.

The sum of ten pounds for completing the Causeway near Samuel Scovil's.

The sum of fifty pounds for the road from Little River to New Ireland.

The sum of twenty pounds for the road from Beaver Dam Bridge, London Settlement, to John Van Wart's.

The sum of ten pounds for the Cross road near Gersham Clark's to the Cross road leading from the Maquapet Lake to the Grand Lake, near Joseph Carle's.

The sum of thirty pounds for improving the road at the Hill near Ocnabog Bridge.

The sum of ten pounds for the road from Gagetown road to the Nerepis road, by way of Gabriel Fowler's.

The sum of ten pounds for the road from John Thompson's to Charles Thorn's Salmon Creek.

The sum of fifteen pounds for the road from Wiggin's Mill, Young Cove, to Washademoak.

The sum of ten pounds for the road from William Perry's to Isaac Worden's.

The sum of thirty pounds for the road from Vail's to Nerepis.

The sum of thirty pounds towards completing the Public Landing below Gagetown, and making the road therefrom.

The

The sum of twenty four pounds for the road leading from the Nerepis road to the Sunbury line, through the Coram and Trafton Settlement.

Queen's County
Bye Roads,
Continued.

II. And be it enacted, That the said several and respective sums of money, and every part thereof, shall be expended under the direction of such Supervisors and Commissioners as His Excellency the Lieutenant Governor or Commander in Chief, by and with the advice of the Executive Council, may be pleased to appoint, and shall be paid to the several and respective persons who shall actually work and labour in making, completing and repairing the said several Roads and Bridges, or in furnishing materials therefor, at the most reasonable rates that such labour and materials can be provided; and every Commissioner so to be appointed shall, as early in the season as may be, carefully examine the part of the road where any sum of money is to be expended, and shall lay out and mark off such allotment or allotments as may conveniently be contracted for, in order that the making or repairing of the same may be let by auction to the lowest bidder; and in all such cases such Commissioners respectively are hereby required to put up a sufficient number of notices, not less than ten days previous to such sale, in three or more of the most public places in the neighbourhood where the work is to be done, which notice shall specify and describe the work so to be performed, and also the place, day and hour when and where the same will be let at auction as aforesaid; and it shall further be the duty of such Commissioners respectively, to attend personally at the time and place so appointed, and there to let out to the lowest bidder such allotment or allotments, and at the same time to enter into written Contracts for the faithful performance of the work in time and manner set forth in such Contracts; and in cases where the work required to be performed cannot be conveniently let at auction, it shall be the duty of the said Commissioners to agree with fit and proper persons to perform the same by days labour, provided that in no case shall more than one quarter part of any grant be so expended; and the said Commissioners shall severally keep an exact account of the expenditure of such monies, and shall produce receipts in writing from the several and respective persons to whom any part of the said money shall be paid, as vouchers for such payment, and render an account thereof upon oath, (which oath any of the Justices of the Peace in the several Counties is hereby authorized to administer,) to be transmitted to the Secretary's Office, to be laid before the General Assembly at the next Session.

Money to be expended under the direction of Commissioners appointed by the Governor with advice of Council.

Duty of Commissioners in expending money.

III. And be it enacted, That the before mentioned sums of money shall be paid by the Treasurer out of the monies in the Treasury, or as payment may be made at the same, by warrant of His Excellency the Lieutenant Governor or Commander in Chief for the time being, by and with the advice and consent of Her Majesty's Executive Council, for which warrants no fee or deduction shall be demanded or taken from the persons in whose favour they may issue.

Money to be paid by the Treasurer by Warrant.

IV. And be it enacted, That the said Commissioners intrusted with the expenditure of the said several and respective sums of money, shall for their time and trouble be allowed to retain at and after the rate of five per centum, out of the said sums so intrusted to them respectively, together with a reasonable compensation for actual work and labour performed by them on the said several roads and bridges.

Compensation to Commissioners.

V. And be it enacted, That the said Commissioners shall expend the several and respective sums of money on the roads, on or before the first day of October: Provided always, that nothing herein contained shall extend or be construed to extend to prevent any Commissioner from expending money after the first day of October, when it shall be necessary to expend the same for building Bridges removing rocks, stumps, trees or other obstructions.

Money to be expended before the first of October.

VI.

No money to be
expended on alte-
rations not
recorded.

VI. And be it enacted, That none of the before mentioned sums of money, or any part thereof, shall be laid out or expended in the making or improving any alteration that may be made in any of the said roads, unless such alteration shall have been first duly laid out and recorded.

CAP. VI.

9 and 10 G. 4, c.
27.

An Act to continue an Act, intituled "An Act to prevent Pedlars travelling and selling within this Province without Licence."

Passed 23d March 1839.

9 and 10 G. 4, c.
27, continued.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the ninth and tenth year of the Reign of His Majesty King George the Fourth, intituled "An Act to prevent Pedlars travelling and selling within this Province without Licence," be and the same is hereby continued and declared to be in full force until the first day of April which will be in the year of our Lord one thousand eight hundred and forty five.

CAP. VII.

An Act to continue "An Act to provide for the erection of Fences with Gates across Highways, leading through Intervale Lands in Queen's County and the County of Sunbury, where the same may be found necessary," and to extend the provisions of the same to King's County.

Passed 23d March 1839.

50 G. 3, c. 31.

3 G. 4, c. 7, conti-
nued.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the fiftieth year of the Reign of His Majesty King George the Third, intituled, "An Act to provide for the erection of Fences with Gates across Highways leading through Intervale lands in Queen's County and the County of Sunbury, where the same may be found necessary;" and also an Act passed in the third year of the Reign of His Majesty King George the Fourth, to extend the provisions of the same to King's County, be and the same are hereby further continued and declared to be in full force, until the first day of April which will be in the year of our Lord one thousand eight hundred and forty five.

CAP. VIII.

An Act to continue an Act for the regulation of Booms for securing Masts, Logs and Lumber in certain parts of the County of Northumberland.

Passed 23d March 1839.

4 G. 4, c. 21 conti-
nued.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the fourth year of the Reign of His Majesty King George the Fourth, intituled "An Act for the regulation of Booms for securing Masts, Logs and Lumber in certain parts of the County of Northumberland," be and the same is hereby continued and declared to be in full force until the first day of May which will be in the year of our Lord one thousand eight hundred and forty five.

CAP. IX.

An Act to continue an Act, intituled "An Act to authorize the extension of the Gaol Limits in the City and County of Saint John." 8 W. 4, c. 13.

Passed 23d March 1839.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the eighth year of the Reign of His late Majesty William the Fourth, intituled "An Act to authorize the extension of the Gaol Limits in the City and County of Saint John," be and the same is hereby continued and declared to be in full force until the first day of April which will be in the year of our Lord one thousand eight hundred and forty five. 8 W. 4, c. 13. continued.

CAP. X.

An Act to continue the Act relating to Parish Schools.

Passed 23d March 1839.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the seventh year of the Reign of His late Majesty King William the Fourth, intituled "An Act to repeal all the Acts now in force relating to Parish Schools, and to make other provisions respecting the same," be and the same is hereby continued and declared to be in force for the period of four years. 7 W. 4, c. 8, continued.

CAP. XI.

An Act to repeal the Act establishing the times of holding the Courts of General Sessions of the Peace and Inferior Courts of Common Pleas in the County of Northumberland, and for the enlarging the times of the Sittings of the said Courts, and for making other and better regulations concerning the same.

Passed 23d March 1839.

WHEREAS the times of holding the Courts of General Sessions of the Peace and Inferior Courts of Common Pleas in the County of Northumberland have been found inconvenient; Preamble.

I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the second year of the Reign of His Majesty King George the Fourth, intituled "An Act for altering the times of holding the Court of General Sessions of the Peace and Inferior Courts of Common Pleas in the County of Northumberland, and for enlarging the times of the Sittings of the said Courts," be and the same is hereby repealed. 2 G. 4, c. 11, repealed.

II. And be it further enacted, That the Court of General Sessions of the Peace and Inferior Court of Common Pleas in the County of Northumberland, shall be hereafter holden on the second Tuesday in January and the second Tuesday in July in each and every year, instead of the third Tuesday in March and the fourth Tuesday in August, as heretofore established; and that the additional Terms of the Inferior Court of Common Pleas in the said County heretofore holden on the second Tuesday in June and the first Tuesday in November, shall be hereafter holden on the first Tuesday in May and the first Tuesday in October in each and every year, any law, usage or custom to the contrary notwithstanding. Terms altered to the second Tuesdays in January and July; Additional Terms to the first Tuesdays in May and October.

III. And be it further enacted, That it shall and may be lawful for the said

Justices may extend the January and July Terms to the next succeeding week.

Causes may be then determined.

No trials to be had at adjourned Sittings.

Teste and Return days to remain in the Terms as formerly.

No process to abate by reason of the alteration.

Court of General Sessions of the Peace and Inferior Court of Common Pleas in the said County, at the Terms so to be holden on the second Tuesday in January and the second Tuesday in July in each and every year, or either of them, if the Justices of the said Courts respectively shall deem the same expedient, to adjourn the Sittings of the said Courts or either of them, to the week next succeeding the said Terms respectively; and that all causes and matters heard and determined on any day during the week next succeeding the said Terms respectively, pursuant to such adjournment, shall have the same and the like force and effect to all intents and purposes as if such causes and matters had been heard and determined at any time during the said Terms respectively, and that all parties concerned shall take due notice of such adjournment from time to time respectively and govern themselves accordingly; provided that no trial of any issues by Jury shall be had at any such adjourned Sittings, any thing herein contained notwithstanding.

IV. Provided also and be it further enacted, That the days of the teste and return of all writs in the said Courts shall be and remain in each respective term as heretofore accustomed and established, any thing in this Act to the contrary thereof in any wise notwithstanding.

V. And be it further enacted, That no process shall abate or other business of what nature or kind soever be discontinued by reason of the said alterations of the said Terms, but shall and may be proceeded upon, heard and determined at the times herein appointed, in the same manner as they might have been proceeded upon had no alteration been made: Provided always, and be it enacted, that this Act shall not go into operation or be in force until after the last day of the next Court of General Sessions and Inferior Court of Common Pleas to be holden for the County of Northumberland on the third Tuesday in March next, any thing in this Act to the contrary in any wise notwithstanding.

CAP XII.

An Act to continue an Act, intituled "An Act to provide for reporting and publishing the Decisions of the Supreme Court."

Passed 23d March 1839.

6 W. 4, c. 14,
continued.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the sixth year of the Reign of His late Majesty King William the Fourth, intituled "An Act to provide for reporting and publishing the Decisions of the Supreme Court," be and the same is hereby continued until the first day of April which will be in the year of our Lord one thousand eight hundred and forty five.

CAP XIII.

An Act to authorize the Justices of the Peace for the County of Restigouche to assess the said County for erecting a Court House and Gaol therein.

Passed 23d March 1839.

‘**W**HEREAS it is necessary that a Court House and Gaol should be erected in the County of Restigouche:

Justices in Sessions authorized to contract for

I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the Justices of the Peace for the said County, at any General Sessions of

of the Peace hereafter to be holden, or at any Special Sessions to be for that purpose convened, or the major part of them, be and they are hereby authorized and empowered to contract and agree with able and sufficient workmen for building and finishing a Court House and Gaol in the said County, and to agree for such sum and sums of money as they may deem meet in order to carry this object into effect: And the said Justices are hereby authorised and empowered to make a rate and assessment of a sum not exceeding twelve hundred and fifty pounds, at such times and in such proportions, as they shall deem meet for the erecting and finishing a Court House and Gaol in the same County; the said sum to be assessed, levied, collected and paid in such proportion and in such manner as any other County rate can or may be assessed, levied, collected and paid, under and by virtue of any Act or Acts in force in this Province, for assessing, levying and collecting rates for public charges.

building Court
House and Gaol,

And assess for not
exceeding £1,250.

II. Provided always, and be it further enacted, That no Special Sessions shall be holden for any of the purposes of this Act, unless five Justices at least are present at the same.

Five Justices may
constitute a Special
Session for the
purposes of this
Act.

CAP XIV.

An Act to amend an Act, intituled "Act to incorporate sundry persons by the name of the New Brunswick Marine Assurance Company."

Passed 23d March 1839.

I. **BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That so much of the fifth section of an Act made and passed in the seventh year of the Reign of His late Majesty King William the Fourth, intituled "An Act to incorporate sundry persons by the name of the New Brunswick Marine Assurance Company," as requires the bonds or other securities given for the payment of the residue of the capital stock of the said Corporation to be renewed at least as often as once in every year, and also so much of the thirty third section of the said recited Act, as requires the bonds or other securities that may be given for the payment of the residue of any additional shares of the capital stock that may at any time hereafter be created by virtue of the provisions of the said recited Act, to be renewed in like manner, at least as often as once in every year, be and the same are hereby repealed; and in lieu thereof

So much of 7 W.
4, c. 54 as requires
Bonds for residue
of Capital, &c. to
be renewed annu-
ally, repealed.

II. Be it enacted, That the said bonds and other securities of what nature or kind soever already taken or hereafter to be taken for the payment of the residue of the said capital stock, as well as those which may hereafter be taken for the payment of the residue of the said additional shares, and all and every and any of them shall from time to time be renewed or changed, and such further or other security or securities for the same be given, as the Directors of the said Corporation or a majority of them shall from time to time require; and in case of any refusal or delay to renew or change any such security or securities, and to give and grant other and further security or securities therefor to the satisfaction of the said Directors or a majority thereof, within thirty days after notice thereof given, then and in such case it shall and may be lawful to and for the said Directors or a majority of them to cause such proceedings both in law and equity, or either, as may be deemed requisite, to be taken for the recovery of the amount of such several and respective securities, or it shall and may be lawful to and for the said Directors or a majority of them, if they shall think fit, to declare the shares in the capital stock of the said Corporation, for the amount of the residue of which such security

Bonds for residue
of Capital Stock
and additional
Shares to be re-
newed or changed
as the Directors
may require.

In case of refusal
or neglect legal
proceedings may
be had or Shares
be forfeited and
sold.

security or securities shall have been given, forfeited to the said Corporation, together with all deposits, instalments, interest, profits or dividends thereto belonging or appertaining; and that such stock so forfeited shall be sold by public auction for and on account of the said Corporation, and the purchaser or purchasers thereof shall give such security or securities for the payment of the amount due to the said Corporation, on account of such forfeited shares at the time of such forfeiture, as is herein before provided, and shall likewise be subject to all the provisions of this Act, and of the said recited Act to which this is an amendment, any thing therein contained to the contrary notwithstanding.

7 W. 4, c. 54, sec. 25, 29, 30 and 39, repealed.

III. And be it enacted, That the twenty fifth, twenty ninth, thirtieth and thirty fifth sections of the said recited Act be and the same are hereby repealed.

20 Stockholders, proprietors of 500 Shares, may call general meetings for other purposes than a dissolution.

IV. And be it enacted, That any number of Stockholders not less than twenty, who together shall be proprietors of at least five hundred shares, shall have power at any time by themselves or their proxies to call a general meeting of the Stockholders for any purpose relating to the business of the said Corporation, other than a dissolution thereof, giving at least thirty days notice in two of the newspapers published in this Province, and specifying in such notice the time and place of such meeting, with the objects thereof, and the Directors or any five of them shall have the like powers at any time, upon observing the like formalities, to call a general meeting as aforesaid.

Five Directors to have the like power.

30 Stockholders, Proprietors of 1000 Shares, may call a general meeting to dissolve the Corporation.

V. And be it enacted, That any number of Stockholders not less than thirty, who together shall be proprietors of one thousand shares in the capital stock of the said Corporation, shall have the power at any time by themselves or their proxies to call a general meeting of the Stockholders for the purpose of taking into consideration the propriety of dissolving the said Corporation, giving at least three months previous notice in two or more of the newspapers published in this Province, and specifying in such notice the time and place of such meeting with the objects thereof, and should it be agreed upon at such meeting that the said Corporation should be dissolved, such Stockholders are hereby authorised and empowered to take all legal and necessary ways and means to dissolve the said Corporation, and upon such or any other dissolution of the said Corporation the Directors then in office shall take immediate and effectual measures for closing all the concerns of the said Corporation, and for dividing the capital and profits or loss which may remain among the Stockholders in proportion to their respective interests.

Annual General Meeting to be held on second Monday in July.

VI. And be it enacted, That so much of the seventh and twenty seventh sections of the said Act as appoints the general meeting of the Stockholders and members of the said Corporation to be held on the second Monday in April in each and every year, be and the same is hereby repealed, and in lieu thereof, be it enacted that there shall be a general meeting of the Stockholders and members of the said Corporation held on the second Monday of July in each and every year, for the purposes set forth in the said seventh and twenty seventh sections of said Act.

Limitation.

VII. And be it enacted, That this Act shall continue and be in force for and during the continuance of the said recited Act and no longer.

CAP. XV.

An Act to erect the Eastern part of the Parish of Portland, in the County of Saint John, into a separate and distinct Town or Parish.

Passed 23d March 1839.

6 WHEREAS great inconvenience is found to exist in consequence of the 'extended bounds and increased population of the Parish of Portland: 'And whereas it is expedient to erect a separate Parish in the same;'

Preamble.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That all that part of the said Parish lying to the eastward of a line running due south from the head of Portage Cove, so called, until it meets the northwest branch of the Marsh Creek, thence following the centre of the said Creek, until it comes opposite Black Point, thence at right angles easterly, until it meets the eastern line of the Marsh road, so called, thence southerly, following the eastern line of the said Marsh road and of the road which passes along the front of Walker Tisdale's Stone Cottage and a prolongation of the said last mentioned line, until it strikes the Creek running through the Flats, thence following the said Creek to low water mark, be and the same is hereby erected into a separate and distinct Town or Parish, to be known and distinguished by the name of the Town or Parish of *Simonds*.

Parish of *Simonds* erected from part of Portland.

II. And be it further enacted, That the Justices of the Peace for the said County, shall and may have power to appoint annually from time to time, Officers for the said Town or Parish of *Simonds*, in the same manner as for other Towns or Parishes within the said County, and also that the said Justices may, at any Special Session, for that purpose to be holden, have power and authority to appoint such Officers for the present year, which Officers shall be sworn to the faithful discharge of their duties respectively, and be liable to the like penalties for neglect or refusal to accept or perform the duties of their respective offices, as any Town or Parish Officers within the said County.

Parish Officers to be appointed.

CAP. XVI.

An Act to authorise the President and Directors of the Public Grammar School in the City of Saint John, to grant Leases with Covenants for renewal.

Passed 23d March 1839.

I. **B**E it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the President and Directors of the Public Grammar School in the City of Saint John, and their successors, shall be and they are hereby fully authorized and empowered to make and grant any Lease or Leases of any Land now belonging, or which may hereafter belong to them, in the said City, or any part or parts thereof, for such term or terms of years, and with such covenants for renewing the same at the expiration of the term and granting a further Lease or Leases thereof to the lessees or their assigns, and with such other covenants, conditions and provisos, as to them may appear expedient and for the advantage of the said Corporation; and that every such Lease so to be made and granted by the said President and Directors with covenants for renewal therein inserted, shall be good, valid and effectual in the law, and binding on the said Corporation, their successors and assigns.

Saint John Grammar School Corporation authorized to grant leases of their lands with covenants for renewal.

II. Provided always and be it further enacted, That in every such Lease so to be made and granted by the said President and Directors, or their successors, a

A fair adequate yearly rent payable half-yearly, to be reserved.

fair adequate yearly rent shall be reserved payable by half yearly payments to the said President and Directors and their successors during the continuance of the original term for which such may be granted, and any renewal or extension thereof.

CAP. XVII.

An Act to authorize the Justices of the Peace in and for the City and County of Saint John to make compensation to the Assessors of Taxes for the City of Saint John for the year one thousand eight hundred and thirty eight.

Passed 23d March 1839.

Preamble.

1 Vict., c. 7.

WHEREAS by the fourth section of an Act made and passed in the first year of the Reign of our Sovereign Lady the Queen, intituled "An Act to provide for the better Assessment of County and Parish Rates," it is among other things provided, that the Assessors of Rates for the several Towns and Parishes shall within sixty days after receiving the Warrant of Assessment, deliver to the Collectors of Rates within their respective Towns and Parishes, a list containing the names of all the parties rated within their several districts with the several amounts to be collected from every such person; and by the fifth section of an Act made and passed in the seventh year of the Reign of His late Majesty, intituled "An Act to provide for the collection of County and Parish Rates," it is provided, that no Assessors shall be allowed a per centage unless the provisions of the said Act shall have been fully complied with: And whereas during the past year the labours to be performed by the Assessors of Taxes in the City of Saint John were so great as to prevent a strict compliance with the requisites of the said Act, and the Assessors have thereby become deprived of any legal right to remuneration for the arduous duties performed by them; for remedy whereof,

Justices in Sessions authorized to compensate the Assessors of Taxes for the past year.

Not to exceed five per cent. on amount ordered to be assessed.

Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That it shall and may be lawful to and for the Justices of the Peace, in and for the City and County of Saint John, in General Sessions assembled, to make an order for the payment of due compensation to the Assessors of Taxes in the said City for the past year, out of the monies levied, raised and collected for that purpose, in the same manner as if the said Assessors had in every respect strictly complied with the provisions of the said Acts; provided that no greater rate per cent. on the amount ordered to be assessed shall be allowed them than is provided for in the said Acts.

CAP. XVIII.

An Act to incorporate the Saint John Mechanics' Institute.

Passed 23d March 1839.

Saint John Mechanics' Institute incorporated with privileges incident to Corporations by Act of Assembly.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That there shall be established and located in the City of Saint John, an Association by the name of the Mechanics' Institute of Saint John, for the purpose of instructing Mechanics and others in popular and useful science, and that Beverly Robinson, John Duncan, George D. Robinson, M. H. Perley, John G. Sharp, William Jack, Alexander Lawrence, and such other persons as are or may become members of the said Institute, shall be and they are hereby constituted a body corporate for that and no other purpose, by the name aforesaid, with all

all the general powers and privileges incident to corporations by Act of Assembly in this Province; Provided always that the real estate which the said corporation may at any time hold shall not exceed five thousand pounds.

Real estate to be held limited to £5,000.

CAP. XIX.

An Act to divide the County of Restigouche into five Towns or Parishes and to define the boundaries thereof.

Passed 23d March 1839.

6 WHEREAS it is expedient to divide the County of Restigouche into five 'Towns or Parishes;'

I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the County of Restigouche shall be and the same is hereby divided into five Towns or Parishes, which Towns or Parishes shall be and hereby are named and bounded in the manner hereinafter mentioned and described, any law to the contrary notwithstanding: The first Town or Parish to be called, known, and distinguished by the name of *Durham*, and to be abutted and bounded as follows, commencing at the point or place where the line which separates the County of Gloucester from the County of Restigouche, strikes the Bay de Chaleur, thence following the course of the said Bay north westerly, until it comes to the mouth of Benjamin River at midchannel, thence on a course due south until it strikes the northern boundary of the County of Gloucester, thence by the boundary of the County of Gloucester to the place of beginning: The second Town or Parish to be called, known and distinguished by the name of *Colborne*, and to be abutted and bounded as follows, commencing at the mouth of Benjamin River, at the western boundary of the Parish of Durham aforesaid, thence following the several courses of the Bay de Chaleur up to the middle of the mouth of Eel River, including Heron Island, and the several Islands in front and situate on the south side of the Bay de Chaleur, thence due south to the rear line of the County of Restigouche, thence easterly by the said rear line until it strikes the western line of the Parish of Durham aforesaid, and thence due north to the place of beginning: The third Town or Parish to be called, known and distinguished by the name of *Dalhousie*, commencing at the western boundary of the said Parish of Colborne at the mouth of Eel River aforesaid, thence following the several courses of the Bay de Chaleur up to the Town of Dalhousie, thence by the several courses of the Restigouche River, up stream to the middle of the mouth of Walker's Brook or Ferguson's Mill Stream, so called, thence by a line drawn due south (through the middle of the mouth of the said stream at the Bridge on the Great Road) until it strikes the rear line of the County of Restigouche, thence easterly by said rear line until it strikes the western line of the Parish of Colborne aforesaid, and thence due north to the mouth of Eel River at the place of beginning: The fourth Town or Parish to be called, known and distinguished by the name of *Addington*, commencing at the middle of Walker's Brook, or Ferguson's Mill Stream, on the western boundary of the Parish of Dalhousie, thence following the several courses of the Restigouche River, up stream, to the middle of the mouth of the Upsalquitche River, thence by a line drawn due south until it strikes the rear line of the County of Restigouche, thence easterly by said rear line until it strikes the western line of the Parish of Dalhousie aforesaid, and thence due north to the middle of Walker's Brook or Ferguson's Mill Stream aforesaid, at the place of beginning: The fifth Town or Parish to be called, known and distinguished by the name of *Eldon*, and to

County of Restigouche divided into five Towns or Parishes, named and described as

Durham.

Colborne.

Dalhousie.

Addington.

Eldon.

to be abutted and bounded as follows, commencing at the westerly line of the said Parish of Addington, at the middle of the mouth of the Upsalquitche River aforesaid, thence following the several courses of the Restigouche River, up stream, until it strikes the eastern boundary of the County of Carleton, thence southerly by the said easterly line of the County of Carleton to the rear line of the County of Restigouche, thence following the said rear line easterly until it intersects the western line of the Parish of Addington aforesaid, and thence due north to the middle of the mouth of the Upsalquitche River, at the place of beginning.

Act to come into
operation on 7th
January, 1840.

II. And be it enacted, That this Act shall not come into operation until the seventh day of January which will be in the year of our Lord one thousand eight hundred and forty.

CAP. XX.

An Act to lay a Tax on Dogs in a certain part of the Parish of Chatham, in the County of Northumberland.

Passed 23d March 1839.

Tax imposed on
Dogs kept on the
front lots in Chat-
ham, between
Clark's Cove and
Saint Andrews
Church.

Rate.

Collector to be
appointed by the
Justices in Ses-
sion,

Sworn and liable
to penalty for ne-
glect.

Owners to affix
Collars with their
names on their
Dogs.

Penalties.

Tax to be collected
on and after the
first of June, and

I. **BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and after the first day of May next there be imposed and levied the following tax or duty yearly and every year on all Dogs which shall or may be owned or kept by any person residing on the Front Lots in the Parish of Chatham, which lie between Clark's Cove and Saint Andrews Church, (that is to say,) for one Dog (provided the person keeps but one,) the sum of five shillings; for two Dogs owned or kept by one person, in or about the same house, the sum of fifteen shillings; for three or more Dogs owned or kept by one person, or in or about the same house, the sum of thirty shillings; the said tax or duty to be paid by the person owning or keeping such Dog or Dogs.

II. And be it further enacted, That the Justices of the Peace for the said County of Northumberland at their General Sessions or any Special Sessions to be for that purpose holden, be and they are hereby authorised and required to appoint a fit person to be a Collector of Dog Tax in the said Parish of Chatham, who shall be sworn to the faithful discharge of his duty, and shall be liable to all the pains and penalties for neglect of duty or refusal to serve as any other Town or Parish Officer or Officers are now liable to by the laws now in force.

III. And be it further enacted, That it shall be the duty of all persons residing within the limits prescribed in the first Section of this Act, and who shall own or keep any Dog or Dogs, to affix a Collar on the neck of each and every such Dog with the name of the owner or keeper plainly and legibly marked thereon; and that all Dogs found going at large within the limits aforesaid, and owned or kept by any person or persons residing within the same, after the said first day of May next without such Collar and name as aforesaid, shall be liable to be killed and destroyed by the said Collector of Dog Tax, or by any Constable of the said Parish; provided always that in case the owner or keeper of such Dog or Dogs so found going at large as aforesaid without such Collar and name, contrary to the true intent and meaning of this Act shall be known, that then he or she shall be liable to pay a fine of ten shillings (in addition to the tax) to be recovered and applied as hereinafter mentioned.

IV. And be it further enacted, That the said Collector of the said Dog Tax shall and he is hereby required on the first day of June in each and every year, and

and as often thereafter as may be necessary to proceed to the collection of the tax imposed by this Act; and in case the said tax be not paid to the said Collector within six days after the same shall have been demanded, that then the said Collector shall and he is hereby required in his own name to sue for and recover the same with costs by action of debt, before any one of Her Majesty's Justices of the Peace for the said County of Northumberland; and the said tax, when collected, shall be paid into the hands of the Overseers of the Poor for said Parish, and to be applied by them towards the support of the poor of the said Parish; such Collector retaining for his trouble at and after the rate of twenty per cent. on all such sums actually collected.

on default for six days after demand party liable may be sued.

Application of tax.

Compensation to Collector.

V. And be it further enacted, That the said Collector of the said Tax shall annually render an account to the Justices at the first annual General Sessions of the Peace to be holden in and for the County of Northumberland, of his collections so to be made as aforesaid, which account shall be audited by the said Justices, and the said Collector shall be liable to all the pains and penalties for neglect or refusal to account for or pay over the monies so to be collected by him, as any Collector of duties is made liable to by the laws now in force.

Collector to account annually to the Sessions.

VI. And be it further enacted, That this Act shall continue and be in force until the first day of April which will be in the year of our Lord one thousand eight hundred and forty five.

Limitation.

CAP. XXI.

An Act to erect a part of the Parish of Wickham, in Queen's County into a separate and distinct Town or Parish.

Passed 23d March 1839.

WHEREAS the Town or Parish of Wickham is so extensive as to render it inconvenient and burthensome to perform the several Parochial duties required by law, and it is expedient that a separate Parish should be erected therein;

I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That all that part and parcel of the said Parish of Wickham situate, lying and being to the north east of a line as follows: commencing on the south east line of the Parish of Waterborough at the point where the said line is intersected by the north west prolongation of the divisional line between lot number six, granted to Archelaus Carpenter, and lot number seven, granted to Abigail Brigg, thence running along the said prolongation and line south easterly till it strikes the Washademoak Lake, thence across the said Lake in right line to the landing on the south east side of Washademoak Lake at Watson's Ferry, thence following the centre of the Post Road leading to Bellisle until it meets the King's County line, be and the same is hereby erected into a separate Town or Parish, to be called the Parish of *Johnston*.

Parish of *Johnston* erected from part of Wickham.

II. And be it further enacted, That the Justices of the Peace for the said County are hereby authorized and empowered to appoint, annually, from time to time, Officers for the said Town or Parish of Johnston, in the same manner as for other Towns or Parishes within the said County; and also that the said Justices may at a Special Sessions for that purpose to be holden, have power and authority to appoint such Officers for the present year; which Officers shall be sworn to the faithful discharge of their duties respectively, and be liable to the like penalties for neglect or refusal to accept or perform the duties of their respective offices as any other Town or Parish Officers within the said County.

Parish Officers to be appointed.

Act not to interfere with the recovery of Assessments ordered.

III. And be it further enacted, That this Act shall in no way prevent or interfere with the recovery of any Parish or County Assessment which may have heretofore been made or ordered by the Court of General Sessions of the Peace for the said County.

CAP. XXII.

An Act to authorize the Justices of the Peace for the County of Charlotte to levy an assessment for the building a new Court House in the said County.

Passed 23d March 1839.

Justices in Sessions or a Committee of Management appointed by them, empowered to contract for building a new Court House.

I. **BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the Justices of the Peace for the County of Charlotte or the major part of them, at any General Sessions of the Peace, be and they are hereby authorized and empowered by themselves, or by any Committee of Management to be by them appointed for that purpose, to contract and agree with able and sufficient workmen for erecting, building and finishing a new Court House in the said County, and to agree for such sums of money as to them may seem meet in order to carry this object into effect; provided that the sum for which such contract shall be taken shall not exceed the sum of one thousand two hundred pounds; and the said Justices, or the major part of them, at their General Sessions as aforesaid, are hereby authorized and empowered to make a rate and assessment upon the inhabitants and others of the said County for a sum not exceeding six hundred pounds, towards defraying the expense of such building and erection.

Contract limited to £1,200.

Assessment may be made for £600.

Assessment to be made agreeably to Acts in force.

II. And be it further enacted, That the said sum of six hundred pounds so to be assessed, shall be assessed, collected and paid agreeably to any Act or Acts in force for the assessing, collecting and levying of County Rates, either in the whole or in such parts and portions as to the said Justices shall seem meet.

CAP. XXIII.

60 G. 3, c. 13.

An Act to alter and amend an Act, intituled "An Act to incorporate sundry persons by the name of the President, Directors and Company of the Bank of New Brunswick."

Passed 23d March 1839.

Preamble.

‘WHEREAS it is thought advisable that the Stockholders of the Bank of New Brunswick should have power and authority to reduce the number of the Directors of the said Bank necessary to form a Board for the transaction of business;

Stockholders authorized to reduce the number of Directors to five.

Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That the Stockholders and Members of the said Bank by themselves or their proxies, present at any annual meeting of the same, by majority of votes, be and they are hereby authorized and empowered to reduce the number of Directors of the said Bank necessary to constitute a Board for the transaction of business; provided however that the number of persons composing said Board shall not be less than five.

CAP. XXIV.

An Act to amend an Act, intituled "An Act to incorporate sundry persons by the name of the President, Directors and Company of the City Bank." 6 W. 4, c. 56.

Passed 23d March 1839.

WHEREAS it is deemed expedient that the number of Directors of the 'said City Bank should be reduced ;'

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That the fifth section of an act made and passed in the sixth year of the Reign of His late Majesty King William the Fourth, intituled "An Act to incorporate sundry persons by the name of the President, Directors and Company of the City Bank," be and the same is hereby repealed. 6 W. 4, c. 56, sec. 5, repealed.

II. And be it further enacted, That there shall be a general meeting of the Stockholders and Members of the Corporation of the said City Bank, to be annually holden on the first Tuesday in May in each and every year at the City of Saint John, at which annual meeting there shall be chosen by a majority of the said Stockholders and Members of the said Corporation, nine Directors, who shall be resident in the City or County of Saint John, and continue in office for one year, or until others are chosen in their stead ; in the choice of which Directors the Stockholders and Members of the said Corporation shall vote according to the Rule mentioned in the said Act ; and the Directors when chosen shall at their first meeting after their election, choose out of their number a President : Provided always, That three of the Directors in office shall be re-elected at such annual meeting for the next succeeding twelve months, of which the President shall always be one. Annual General Meeting to be held on the first Tuesday in May. Nine Directors to be then chosen. Directors to choose a President. Three Directors to be re-elected.

CAP. XXV.

An Act in addition to an Act, intituled "An Act to incorporate sundry persons by the name of the President, Directors and Company of the City Bank."

Passed 23d March 1839.

WHEREAS it is deemed expedient that the Stockholders of the said City Bank be authorised and empowered to join any other Chartered Bank 'or Banks of this Province, and also to close the concerns of the said City Bank, 'and to surrender their charter ;'

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That the President, Directors and Company of the said City Bank, shall and may at any time hereafter close the concerns of the said City Bank, and by at least ninety days notice, to be published in any two or more of the public newspapers in the City of Saint John, to declare the said City Bank to have ceased, and that the said Act incorporating the said City Bank shall in such case be deemed, and taken, and adjudged to have been repealed and cancelled by the Provincial Legislature, from and after the expiration of the said ninety days mentioned in such notice. Corporations empowered to close the concerns of the City Bank.

II. And be it further enacted, That the Stockholders of the said City Bank, shall and may at any time hereafter, if they see fit, join the Capital Stock of the said City Bank to the Capital Stock or Stocks of any other Chartered Bank or Banks of this Province, and that in such case the Capital Stock of the said City Bank shall become part and parcel of the Capital Stock of the Bank into which it shall by such junction so become merged : Provided that the provisions of this Act shall Stockholders of the City Bank may join its Capital to that of any other Chartered Bank. Provisions of this Act not to take effect except by the

order of a majority of the Stockholders at a meeting representing at least three fourths of the Shares.

shall not take effect except by the order of a majority of the Stockholders of the said City Bank, present at a meeting to be held at any time hereafter, agreeably to the terms of the said Act of incorporation, representing at least three-fourths of the shares of the said Stockholders.

CAP. XXVI.

60 G. 3, c. 13.

An Act in addition to an Act, intituled "An Act to incorporate sundry persons by the name of the President, Directors and Company of the Bank of New Brunswick."

Passed 23d March 1839.

WHEREAS it is considered expedient that an union should take place 'between the Bank of New Brunswick, and the City Bank;'

Capital Stock of the City Bank may be received into the Capital of the Bank of New Brunswick, and when so received, both Banks to be united under the name of the President, Directors and Company of the Bank of New Brunswick, and as such subject to the provisions of the Acts 6 W. 4, c. 18, 6 W. 4, c. 33, 6 W. 4, c. 57.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That the President, Directors and Company of the Bank of New Brunswick, shall and may, at any time hereafter, (if an arrangement for that purpose can be effected,) receive into the Capital Stock of the said Bank of New Brunswick the Capital Stock of the City Bank, in the City of Saint John, which Capital Stock of the said City Bank shall, when so received, become and be part and parcel of the Capital Stock of the said Bank of New Brunswick; and the said Bank of New Brunswick and the said City Bank shall then and from thenceforth be united into one Bank, under the name of the President, Directors and Company of the Bank of New Brunswick, and as such be subject to the provisions of the said Act incorporating the said Bank of New Brunswick, and also to the provisions of an Act made and passed in the sixth year of the Reign of His late Majesty King William the Fourth, intituled "An Act relating to Corporations," and also to the provisions of a certain other Act made and passed in the same year of the Reign of His said late Majesty, intituled "An Act to prescribe certain general regulations in respect to Corporations," and also to the provisions of an Act made and passed in the sixth year of the Reign of His late Majesty King William the Fourth, intituled "An Act to provide for the further increase of the Capital Stock of the Bank of New Brunswick, and to amend and continue the Act for incorporating the said Bank," and also to such rules and regulations for the good order and government of the said Bank of New Brunswick as have already been made, or may hereafter be made, agreeably to the said Act incorporating the said Bank of New Brunswick, and to the said Act made in the sixth year of the Reign of King William the Fourth for increasing the Capital Stock of the same Bank: Provided always, that the whole amount of the Capital Stock of the same Bank, when increased under the provisions of this Act, shall not exceed the amount to which the Stockholders of the same Bank, are authorized to increase the Capital Stock thereof, by the provisions of the said last mentioned Act, passed in the sixth year of the Reign of King William the Fourth, that is to say, the sum of one hundred thousand pounds; And provided also, that the increase of the Capital Stock of the same Bank, made under the provisions of this Act, shall be deemed and taken *pro rata*, to be in lieu of any increase of such Capital Stock under the provisions of the said last mentioned Act of the sixth year of the reign of King William the Fourth.

Proviso.

Officers of Bank of New Brunswick to be Officers of the united Banks until annual election.

II. And be it further enacted, That when an union of the said Bank of New Brunswick and the said City Bank shall be effected, agreeably to the first Section of this Act, the persons then in office, as the President and Directors of the said Bank of New Brunswick, shall continue in office as such, and be and act as the President and Directors

Directors of such united Bank until the next annual election of Officers shall take place agreeably to the said Act incorporating the said Bank of New Brunswick; Provided that the provisions of this Act shall not take effect, except by the order of a majority of the Stockholders of the said Bank of New Brunswick, present at a meeting to be held at any time hereafter, agreeably to the terms of the said Act incorporating the said Bank of New Brunswick, at which meeting shall be represented at least three fourths of the shares of the said Stockholders.

Act not to take effect without the order of the Stockholders.

III. And be it further enacted, That all the Bonds, Bills, Notes or other securities, held by the said City Bank at the time of such union of the said two Banks, shall and may be transferred to and recovered by and in the name of the President, Directors and Company of the said Bank of New Brunswick; and the said President, Directors and Company of the said Bank of New Brunswick, shall be liable to and shall pay and discharge all Bonds, Bills, Notes or other securities given by the said City Bank, and outstanding at the time of such union: And the Stockholders of the said Bank of New Brunswick after the said union, shall be liable for the said last mentioned Bonds, Bills, Notes and other securities, in like manner as for any other debts due from the said Bank of New Brunswick.

The City Bank Securities to be transferred to the Bank of New Brunswick, which is to be liable to pay all Bonds, &c. given by the former.

CAP XXVII.

An Act for the relief of old Soldiers of the Revolutionary War and their Widows.

Passed 23d March 1839.

WHEREAS it is deemed expedient that some provision should be made by law for such and so many of the Soldiers of the Revolutionary War in America as may be residing in this Province, and are in indigent or distressed circumstances, and also for indigent or distressed Widows of Soldiers who may have served in the same war;

Preamble.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That the sum of ten pounds per year shall be paid to every old Soldier of such Revolutionary War, and to every Widow of any Soldier of such Revolutionary War, who, at the time of the passing of this Act, may be resident within this Province, and who is in distressed or indigent circumstances: Provided always, That such Widow shall have been married to such Soldier before the time of the passing of this Act, and shall also be a widow at the time of making her application as hereinafter mentioned.

£10 per annum granted to indigent Soldiers of Revolutionary War and their Widows.

II. Provided always, and be it further enacted, That whenever any application shall be made by any old Soldier under the provisions of this Act, in order to entitle himself to the aforesaid sum of ten pounds, he shall take an oath to be set down in writing, and shall subscribe his name or affix his mark thereto, which oath shall be in the form following, that is to say: "I A. B. of in the County of, aged years, do swear that I served in the Revolutionary War in America in the Regiment (*or as the fact may be*), that I was attached to a Company commanded by, that I was lawfully discharged from the service, at in the year, that I now reside at, in the County of, and that I did actually reside in this Province at the time of the passing of an Act made in the second year of the reign of Her Majesty Queen Victoria, intituled 'An Act for the relief of old Soldiers of the Revolutionary War and their Widows,' and that I am not directly or indirectly in the receipt of any pension from Her Majesty's Government, and that I am in indigent circumstances, having no sufficient property by or from which I can support or maintain myself,

Form of oath to be taken by Soldiers applying under this Act.

“and that I have not put out of my hands, power or disposal any property in order to secure or provide for my support or maintenance.”

Form of oath to be taken by Widows.

III. Provided also and be it further enacted, That whenever any application shall be made by any Widow of a Soldier of the Revolutionary War for relief under the provisions of this Act, in order to entitle herself to the aforesaid sum of ten pounds, she shall take an oath to be set down in writing, and shall subscribe her name or affix her mark thereto, which oath shall be in the form following, that is to say: “I A. B. of in the County of , aged years, do swear “that in the year at I was lawfully married to , who served as a “ in the Revolutionary War in America, that he was attached to the “Regiment (*or as the fact may be*), that he died (*or was killed*) at in the “year , that I now reside at , in the County of , that I did actually “reside in this Province at the time of the passing of an Act made in the second “year of the Reign of Her Majesty Queen Victoria, intituled ‘An Act for the “relief of old Soldiers of the Revolutionary War and their Widows,’ and that I “was married to the said before the passing of the said Act, and that I am “now and have been for the last twelve months a Widow, and in indigent circum- “stances, having no sufficient property by or from which I can support or main- “tain myself, and that I have not put out of my hands, power or disposal any “property, in order to secure or provide for my support or maintenance.”

Justices required to administer the oath, examine the party, and if satisfied endorse certificate on the affidavit.

IV. And be it further enacted, That any one of Her Majesty’s Justices of the Peace near to the place where the party applicant shall or may reside, is hereby authorized and required to administer the oath hereinbefore mentioned, and shall personally examine the party appearing before him to depose to the same, and if on such examination the said Justice shall be satisfied that the claim is just and fair, according to the true intent and meaning of this Act, he shall and may grant a certificate under his hand to be annexed unto or endorsed upon the said affidavit, setting forth that he has examined the deponent, and that he verily believes the several matters and things set forth in his or her affidavit are true.

Affidavit to be filed with the Clerk of the Peace to be submitted to the Sessions which is to settle all claims and certify to the Secretary’s Office.

V. And be it further enacted, That the said affidavit and certificate shall be filed in the office of the Clerk of the Sessions of the County in which the same shall be made, on or before the first day of the General Sessions of the Peace next ensuing the date thereof, at which term the said Clerk shall exhibit the same to the Justices then and there assembled, and the several Courts of General Sessions of the Peace in the respective Counties are hereby authorized and empowered to settle all claims for relief made under the provisions of this Act, on the affidavit and certificate hereinbefore required, and shall certify in a general schedule all such claims as they shall allow, and shall transmit the same to the office of the Secretary of the Province.

Authority given to draw on the Treasury.

VI. And be it further enacted, That it shall and may be lawful for His Excellency the Lieutenant Governor or Commander in Chief for the time being, by and with the advice and consent of Her Majesty’s Executive Council, to draw by warrant on the Treasury of the Province the amount of such Schedule in favor of the Clerk of the Peace of the County, to be by him paid and distributed to the respective claimants.

First payment to be for the year ending on the date of the affidavit.

VII. And be it enacted, That the first yearly sum applied for by any Soldier or Widow under the provisions of this Act, shall be for the year ending on the day of the making of the affidavit hereinbefore mentioned.

Proviso as to persons to whom special grants have been made.

VIII. Provided always and be it enacted, That no Soldier or Widow for whom any special grant may be made during the present Session of the General Assembly, shall be entitled to the benefit of the provisions of this Act until after the first day of November next, and then yearly from that period.

IX.

IX. And be it enacted, That this Act shall continue and be in force until the first day of April which will be in the year of our Lord one thousand eight hundred and forty two, and no longer. Limitation.

CAP. XXVIII.

An Act to authorize the Sale of Mortgaged Premises by the Court of Chancery, and directing the application of the proceeds thereof.

Passed 23d March 1839.

I. **B**E it enacted by the Lieutenant Governor, Legislative Council and Assembly, That whenever a Bill shall be filed in the Court of Chancery for the foreclosure or satisfaction of a Mortgage, the Court shall have power to decree a sale of the Mortgaged premises, or such part thereof as may be sufficient to discharge the amount due on the Mortgage and the costs of suit.

Court may decree a sale of mortgaged premises on the filing of a Bill for foreclosure.

II. And be it enacted, That all sales of Mortgaged Premises, under the decree of the Court of Chancery, shall be made by a Master under the direction of the said Court, and the conveyances shall be executed by such Master, which shall vest in the purchaser the same estate, and no other or greater, than would have vested in the Mortgagee if the equity of redemption had been foreclosed, and such deed shall be as valid as if the same were executed by the Mortgagor and the Mortgagee, and shall be an entire bar against each of them, and against all parties to the suit in which such decree for sale was made, and against their heirs respectively, and all claiming under their heirs: and every such conveyance having been first duly acknowledged or proved, according to the provisions of the Laws relating to the Registry of Deeds, may be registered in the Registry Office of the County where the lands lie, and such conveyance so registered, or a copy thereof, may be given in evidence in any Court of Law or Equity in this Province, in like manner with and under the same rules and restrictions as any other registered Deed, and when so given in evidence shall be deemed and taken to be evidence that all the proceedings on which such conveyance is founded were rightly had and done.

Sales and conveyances to be made by a Master under direction of the Court.

Conveyances may be registered in the County Register, and when given in evidence to be evidence that all the proceedings were rightly had and done.

III. And be it enacted, That the proceeds of every sale made under the decree of the Court of Chancery as aforesaid, shall be applied to the discharge of the debts adjudged by such Court to be due and of the costs awarded; and in case there shall be any surplus, it shall be brought into Court for the use of the Mortgagor or of the person who may be entitled thereto, subject to the order of the Court.

Application of proceeds of Sales.

IV. And be it enacted, That when any Bill shall be filed for the foreclosure or satisfaction of any Mortgage upon which there shall be due any interest or portion only of the principal, the Bill may be ordered to be dismissed, upon the defendants bringing into Court, at any time before the decree, the principal and interest due, with costs; and in case the same shall be brought into Court after a decree, and before a sale, further proceedings thereupon shall be stayed; but the decree shall stand as a security for such further sums as may thereafter fall due on the Mortgage, and upon any subsequent default of payment thereof, may be enforced by the further order of the Court for the sale of the Mortgaged premises, or of such part thereof as shall be necessary from time to time, until the amount secured by the Mortgage and the costs of the proceedings thereon, shall have been fully paid and satisfied.

Proceedings on Bills for foreclosure of Mortgages on which there shall be due any interest or portion only of the principal.

V. And be it enacted, That if in any of the foregoing cases it shall appear to

Court may order the sale of the whole mortgaged premises when considered most beneficial.

to the Court, that the Mortgaged premises are so situated that the sale of the whole will be most beneficial to the parties, the decree shall in the first instance be entered for the sale of the whole premises accordingly; and in such case the proceeds of such sale shall be applied as well to the payment of the amount due and of the costs of suit, as towards the residue of the sum not due at the time of such sale; and if such residue do not bear interest, then the Court may direct the same to be paid with a deduction of the rebate of legal interest, for the time during which such residue shall not be due and payable.

In cases of subsequent incumbrances the residue of the proceeds of sale to be subject to the claims of the holders.

VI. And be it enacted, That in case of subsequent incumbrances affecting any mortgaged premises which may be sold under the decree of the said Court by virtue of this Act, the residue of the proceeds which may remain after the discharge of the first Mortgage thereon shall be subject, under the order and direction of the said Court, to the claims of the holders of such subsequent incumbrances according to their due priority, whether the same be due and payable or otherwise, subject to the like rebate of interest in case of sums not payable, when the same do not bear interest, as is provided in the fifth section of this Act.

All sales to be by public auction after due notice.

VII. And be it enacted, That all sales of any Mortgaged premises made under the authority of this Act, shall be made by public auction, of which not less than three months notice shall be given.

CAP. XXIX.

An Act relating to the sale and disposition of the real estate of Infants.

Passed 23d March 1839.

Chancellor or Master of the Rolls may compel Infants possessed of property by Mortgage or in trust to convey the same.

I. **BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That whenever any infant shall be seized or possessed of any Lands, Tenements or Hereditaments, by way of Mortgage or in trust only for others, the Chancellor or Master of the Rolls, on the Petition of the guardian of such Infant or of any person interested, may enable and compel such infant to convey and assure such Lands, Tenements and Hereditaments to any other person in such manner as the said Court shall order and direct; and every conveyance or assurance made pursuant to such order, shall be as good and effectual in the law as if the same were made by such Infant when of lawful age.

Court of Chancery may compel the performance by Infant Heirs or others of bargains made by any party dying before performance.

II. And be it enacted, That the Court of Chancery shall have power to decree and compel the specific performance, by any Infant Heir or other person, of any bargain, contract or agreement made by any party who may die before the performance thereof, on petition of the executors or administrators of the estate of the deceased, or of any person or persons interested in such bargain, contract or agreement, and on hearing all parties concerned, and being satisfied that the specific performance of such bargain, contract or agreement, ought to be decreed or compelled.

Infants by next friend or guardian may apply for an order for the sale, &c. of real estate.

III. And be it enacted, That any Infant seized of any real estate or entitled to any term for years in any lands may, by his next friend or by his guardian, apply by petition to the Chancellor or the Master of the Rolls for an order for the sale or other disposition of the said property in manner hereinafter mentioned.

Court to appoint guardians who are to give security by Bond for performance of trust.

IV. And be it enacted, That on such application the said Court may appoint one or more suitable person or persons to be the guardian of such Infant in relation to the proceedings on such application, who shall be required to give security by bond to the Infant, to be filed with the Registrar, in such penalty and with such sureties and in such form as the Court shall direct, conditioned for the faithful performance

performance of the trust reposed, for the paying over, investing and accounting for all monies which shall be received by such guardians, according to the order of the Court, and for the observance of the orders and directions of the said Court, in relation to the said trust; and in case of the forfeiture of such bond, the said Court may order and direct the same to be prosecuted for the benefit of the party injured.

V. And be it enacted, That upon the filing of such Bond by such guardian as aforesaid, the said Court may proceed in a summary way by reference to a Master to inquire into the merits of such application, and in case it shall appear satisfactorily that a disposition of the real estate of such Infant, or any part thereof, or any term of years of which he may be possessed, or in which he may be interested, is necessary or proper, either for the support and maintenance of such Infant or for his education, or that the interest of such Infant requires or will be substantially promoted by such disposition on account of any part of his said property being exposed to waste and dilapidation, or on account of its being wholly unproductive or for any other reasons or circumstances, the Court may order the letting for a term of years, the sale or other disposition of such real estate or interest by such guardian so appointed, in such manner and with such restrictions as shall be deemed expedient: Provided always, that nothing herein contained shall be construed to authorize the ordering of the sale, leasing or other disposition of any real estate or term for years, in any manner contrary to the provisions of any last will, or any conveyance by, through or under which such estate or term was devised or conveyed to such Infant.

On filing Bond Court to proceed in a summary way by reference to a Master, and may order the letting or sale of the property.

Proviso.

VI. And be it enacted, That upon any agreement for the sale, leasing or other disposition of such property made pursuant to such order, the same shall be reported to the Court on the oath of the guardian making the same, and if it be confirmed a conveyance shall be executed under the direction of the Court.

Agreements for such sales, &c. to be reported to the Court and if confirmed conveyance to be executed.

VII. And be it enacted, That all sales, leases, dispositions and conveyances, made in good faith by any guardian in pursuance of any such agreement so confirmed as aforesaid, shall be valid and effectual as if made by such Infant when of full age.

Sales, &c. made by guardians on agreement so confirmed to be valid.

VIII. And be it enacted, That upon any order for the sale of any property being made as aforesaid, the Infant to whom the same shall belong shall be considered, so far as relates to such property, a ward of the Court of Chancery; and the Court shall have power to make such order for the investment, disposition and application of the proceeds of such property, and of the increase and interest arising therefrom, as to secure the same for the benefit of such Infant in such manner as may be deemed most expedient.

Infant to be considered a ward of Chancery so far as relates to property sold.

IX. And be it enacted, That no sale so made as aforesaid shall give to such Infant any other or greater interest or estate in the proceeds of such sale than he had in the estate so sold; but the said proceeds shall be deemed estate of the same nature as the property sold.

Estate of Infant in the proceeds of the sale to be the same as the property sold.

X. And be it enacted, That every conveyance made under the provisions of this Act, having been first duly acknowledged or proved according to the provisions of the laws relating to the Registry of Deeds, may be registered in the Registry Office of the County where the lands lie, and such conveyance so registered, or a copy thereof, may be given in evidence in any Court of law or equity in this Province, in like manner with and under the same rules and restrictions as any other registered Deed, and when so given in evidence shall be deemed and taken to be evidence that all the proceedings on which such conveyance is founded were rightly had and done.

Conveyances under this Act may be registered in the County Register and when given in evidence to be evidence that all proceedings were rightly had and done.

CAP. XXX.

An Act to provide for the government and regulation of the House of Correction for the City and County of Saint John.

Passed 23d March 1839.

Governor with advice of Council to appoint Commissioners for the House of Correction.

To be sworn.

Commissioners by a majority of votes to decide all questions and manage the business, three constituting a quorum.

Commissioners empowered to make regulations for the House, appoint Officers, provide provisions, &c. and enforce their regulations.

Proviso.

Commissioners to make annual returns before the 1st of March for the information of

I. **BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That it shall and may be lawful to and for the Lieutenant Governor or Commander in Chief, by and with the advice of Her Majesty's Executive Council, from time to time, to appoint not less than five, nor more than nine, fit and proper persons to be Commissioners for the House of Correction for the City and County of Saint John, of whom not less than two shall be members of the Court of Sessions of the Peace in and for the said City and County, and one a member of the Common Council of the said City of Saint John, and such Commissioners or any of them to remove, and others in their places from time to time appoint as aforesaid; which said Commissioners shall be sworn to the faithful discharge of their duties, before any Justice of the Peace in and for the said City and County; and the said Commissioners shall meet from time to time at such place or places within the said City and County as may be for that purpose named, and then and there by a majority of votes of those present at any appointed meeting, decide all questions and manage all business touching the said House of Correction, and any three of the said Commissioners shall form a Board for the transaction of business, except as hereinafter provided; and that the first person named as Commissioner shall be Chairman of the Commissioners, and in case of his absence from any meeting, the Commissioners met shall out of their number choose a Chairman for the time being; and that the Chairman, or in case of his sickness or absence, any two of the said Commissioners shall have full power to summon a meeting of the said Commissioners for the transaction of business, by causing a notice to be left at the usual place of abode of each of the said Commissioners of the time and place of such meeting.

II. And be it enacted, That the said Board of Commissioners shall have full power and authority, at any and at all times to make such rules, orders and regulations for the good government and management of the said House of Correction, and of the several persons from time to time confined therein, as they shall find necessary, and shall and may from time to time nominate and appoint all requisite officers, servants and keepers in and about the same, and them and any of them to remove; and also shall and may provide such provisions, materials and things as they may judge necessary, as well for the support and maintenance as for the setting to work and employing the several persons that may therein be confined and imprisoned; and also shall have full power and authority to enforce the observance of the rules, orders and regulations which they may from time to time make, for the government and management of the prisoners in the said House of Correction, by solitary confinement or other reasonable punishment: Provided always, that at any meeting of the said Commissioners, at which any rule, order or regulation for the government and management of the said House of Correction, or of the prisoners therein being, may be made, or at which any officer, keeper or servant may be appointed or removed, there shall be not less than five Commissioners present; and the said Commissioners shall cause a record of all their proceedings to be kept in a book to be provided for that purpose.

III. And be it enacted, That the said Board of Commissioners shall annually before the first day of March in each and every year, cause a full, complete and perfect statement of the said House of Correction, and all persons therein, and the

the mode in which each has been employed during the year, and also a just and detailed account of all receipts and expenditures for and on account of the said House of Correction, to be filed with the Clerk of the Peace in and for the said City and County, for the information of the General Sessions of the Peace, (which said account shall be audited by a Committee of the said Court of Sessions,) and also shall at the same time submit an estimate of what sum or sums of money will be needful for the maintenance, support and employment of the persons therein and therewith connected, for the year then next ensuing; which sum and sums of money shall be assessed, levied, collected and paid in such proportions and in the same manner as any other County rates for public charges are or may be assessed, levied, collected and paid under and by virtue of any Act or Acts which, at the time of making such assessments, may be in force in the Province, for the assessing, levying and collecting of rates for public charges, and shall be paid by the said Collector or Collectors to the said Commissioners.

the Sessions, and submit estimates for the ensuing year.

Money to be assessed as other County rates.

IV. And be it enacted, That the proceeds arising from any work or labour to be performed in the said House of Correction, under the direction of the said Commissioners, shall be duly accounted for by them, and shall be applied towards the support and maintenance of the said House of Correction.

Proceeds of labor to be accounted for.

V. And be it enacted, That neither of the said Commissioners shall receive any compensation or allowance, directly or indirectly for his services as such, nor shall either of them be capable of holding any office, place or employment in, about, connected with, or arising from the said House of Correction, for or by means of which any salary, fee, emolument, compensation, or perquisite can be derived, nor shall any Commissioner be engaged or interested in any way whatever, either as security or otherwise, in any contract for or on account of the said House of Correction.

Commissioners to receive no compensation nor hold any office connected with the House having emolument attached to it.

VI. And be it enacted, That it shall and may be lawful for the Mayor, Recorder and Aldermen of the said City, and all Justices of the Peace for the said City and County for the time being, or either of them, to take up and arrest, or order to be taken up and arrested, all and any rogues, vagabonds, stragglers, idle, suspicious or disorderly persons, within the said City and County, and to order such rogues, vagabonds, stragglers, idle, suspicious or disorderly persons, to be committed to the said House of Correction, there to remain and be kept to hard labour for any term not exceeding forty days.

Mayor, Recorder and Aldermen, and all Justices of the Peace may arrest rogues, &c., and commit them to the House of Correction.

VII. And be it enacted, That it shall and may be lawful for the said Justices of the Peace, in General or in Special Sessions to be for that purpose held, to cause all prisoners sentenced to imprisonment with hard labour, and all vagrants, rogues, vagabonds, stragglers, and other idle, suspicious and disorderly persons, at such time in confinement in the Common Gaol or Work House of the said City, to be removed to the said House of Correction, there to remain, and be kept to hard labour, until their several and respective terms of imprisonment shall expire.

Justices in Sessions may cause prisoners sentenced to imprisonment with hard labour to be removed to the House of Correction.

CAP. XXXI.

An Act in further amendment of the Criminal Law.

Passed 23d March 1839.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That where any person shall be charged with and convicted of any of the following offences as misdemeanors, that is to say, of any assault with intent to commit Felony, of any assault upon any Peace Officer, Officer of the Customs or Revenue

Persons guilty of certain misdemeanors may be sentenced to imprisonment with or without hard labour, and be

fined and required
to find sureties for
keeping the Peace.

Revenue Officer in the due execution of his duty, or upon any person acting in aid of such Officer, of any assault upon any person, with intent to resist or prevent the lawful apprehension or detainure of the party so assaulting, or of any other person, for any offence for which he or they may be liable by law to be apprehended or detained, or of any perjury, in any such case the Court may sentence the offender to be imprisoned, with or without hard labour, in the Common Gaol or House of Correction, for any term not exceeding two years, and may also (if it shall so think fit) fine the Offender, and require him to find sureties for keeping the Peace, and being of good behaviour.

CAP. XXXII.

7 G. 4, c. 14.

An Act in amendment of an Act, intituled "An Act in addition to and in amendment of the several Acts now in force to provide for sick and disabled Seamen, not being paupers belonging to this Province."

Passed 23d March 1839.

Preamble.

WHEREAS the additional duty of one penny imposed upon every Ship or Vessel of the burthen of sixty tons or upwards, arriving at the Harbour of Saint John or Out Bays of the Port of Saint John, has been found to be more than sufficient to meet the objects contemplated by the said Act;

7 G. 4, c. 14, sec. 1, repealed.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That the first Section of the said Act, passed in the seventh year of the reign of His Majesty King George the Fourth, intituled "An Act in addition to and in amendment of the several Acts now in force to provide for sick and disabled Seamen, not being paupers belonging to this Province," be and the same is hereby repealed.

Vessels of 60 Tons and upwards arriving at the Harbour of St. John and the Out Bays to pay one half penny per ton in addition to the penny per ton imposed by 60 G. 3, c. 15.

II. And be it further enacted, That from and after the passing of this Act, every Ship or Vessel that shall arrive at the said Harbour of Saint John, or the said Out Bays of the Port of Saint John, and shall be of the burthen of sixty tons or upwards, shall pay the sum of one halfpenny per ton in addition to the sum of one penny per ton, imposed by the first Section of an Act of the General Assembly, made and passed in the sixtieth year of the reign of His Majesty King George the Third, intituled "An Act to provide for sick and disabled Seamen, not being Paupers belonging to this Province," making in the whole one penny half penny per ton for every registered ton such Ship or Vessel shall be rated at, the same to be paid, recovered and received in the manner directed in and by the several Acts in force for providing for sick and disabled Seamen, and subject to the rules, regulations and restrictions therein contained.

CAP. XXXIII.

2 W. 4, c. 26.

An Act to explain and amend an Act, intituled "An Act to incorporate sundry persons by the name of the Saint John Water Company."

Passed 23d March 1839.

Preamble.

2 W. 4, c. 26.

WHEREAS by an Act made and passed in the second year of the Reign of His late Majesty King William the Fourth, intituled "An Act to incorporate sundry persons by the name of the Saint John Water Company," and by a certain other Act made and passed in the fourth year of the same reign, intituled "An Act to revive and amend an Act to incorporate sundry persons by the name of the Saint John Water Company," authority was given to

4 W. 4, c. 40..

‘ to establish the said Company agreeably to the several provisions of the said Acts, and the same has been established, and is now in full operation, but doubts are entertained whether some of the terms of the said Acts have been strictly complied with, and thereby the permanence of this useful undertaking may be greatly endangered; for remedy whereof,’

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That so much of the second Section of the said first mentioned Act as declares that the Capital Stock of the said Corporation shall consist of current Gold and Silver Coins of the Province, and as requires the five per cent. thereof to be paid in current Gold and Silver Coins of the Province, be and the same is hereby repealed.

2 W. 4, c. 26, sec. 2, in part repealed.

II. And be it further enacted, That such part of the said Capital Stock as has been actually and *bona fide* paid in, to the satisfaction of the President and Directors of the said Company for the time being, by any Stockholder as a per centage upon, or part payment of his share or shares in the said Capital Stock, whether the same was paid in Gold and Silver Coins or otherwise, shall be deemed and adjudged and is hereby declared to be a good and sufficient payment of such part of such Capital Stock, according to the true intent and meaning of the said Acts.

Capital Stock paid in to the satisfaction of the President and Directors whether paid in Coin or otherwise, to be deemed a sufficient payment under the Acts.

III. And be it further enacted, and it is hereby declared, That no part of the proceedings of any President and Directors of the said Company, or of any meeting of the Stockholders thereof, since the passing of the said Acts, shall be deemed and adjudged as illegal, unauthorized or contrary to the intent and meaning of the said Acts or either of them, by reason of any irregularity that may have arisen in the first General Meeting of the Stockholders of the said Company, or in the election of the first Directors of the said Company, or in the election of the first President of the said Company, or by reason of the said Stockholders not having heretofore made any Bye Laws, Ordinances and Regulations for the good management of the affairs of the said Corporation, or by reason of such part of the Stock that has been paid, not having been paid in Gold and Silver Coins: and that all proceedings heretofore had and done, and all transfers of shares in the said Capital Stock of the said Company under the said Act heretofore made and done in pursuance of and according to any regulations made by any President and Directors of the said Company for the time being, since the first meeting of the Stockholders, and since the election of the first Directors of the said Company, shall be deemed and are hereby declared as good and valid to all intents and purposes, as if the said first meeting of the said Stockholders, and the election of the first Directors and President of the said Company had been in all respects strictly according to the directions of the said Acts, and as if Bye Laws had been made by the Stockholders for the regulation and management of the affairs of the said Corporation, in pursuance of the power vested in them for that purpose.

No part of the proceedings of the Corporation to be deemed illegal by reason of any irregularity in the first general meeting, in the election of the first Directors, or the Stock not being paid in Gold and Silver Coins.

IV. And be it further enacted, That in any case where default has been made before the passing of this Act, in payment of any part of the residue of the Capital Stock of the said Company, which has been heretofore by the President and Directors for the time being of the said Company required to be paid, and which remains still unpaid at the time of passing this Act, every share upon which such default shall have been so made, shall stand and become absolutely forfeited to the said Corporation, unless the amount so required to be paid thereon shall be fully paid and satisfied to the President and Directors of the said Company for the time being, within two months after the passing of this Act, or within such further time as the said President and Directors of the said Company for the time being, or the major part of them may consent to give for the payment thereof: And in

Shares to be forfeited where default in payment of the residue of the Stock may be made.

case of such forfeiture, the said President and Directors of the said Company for the time being, or the major part of them, shall at any time within one month after such forfeiture have full power and authority if they see fit to proceed to sell every such share so forfeited at auction, first giving one months notice, in two or more of the public newspapers in the said Province, of such sale, and the proceeds thereof to be applied to the service and use of the said Company.

At a Special General Meeting or any annual meeting, Bye Laws may be made or amended.

V. And be it further enacted, That it shall and may be lawful for the President and Directors for the time being, or the major part of them from time to time, when they or the major part of them see fit, to call a general meeting of the Stockholders of the said Company, by giving one months notice of the time or place of such meeting in two or more of the public newspapers published in Saint John; and at such general meeting so called, and also at any annual meeting of the said Stockholders held pursuant to the provisions of the said Acts, it shall be lawful for the said Stockholders of the said Company, or the major part of them then present, and they are hereby authorized and empowered to make all such Bye Laws, Ordinances and Regulations for the good management of the affairs of the said Corporation, as they are authorized and empowered to make by the first Section of the said first mentioned Act, and also in like manner from time to time to alter, annul, add to or amend the same: and in such Bye Laws, Ordinances and Regulations, the said Stockholders shall have full power and authority to make such provisions as they or the major part of them then present shall see fit, for securing the payment by the Shareholders and their assignees of the residue of the Capital Stock of the said Company, not heretofore called for by the President and Directors of the said Company, or any part thereof, according as the same may be from time to time hereafter required by the President and Directors for the time being of the said Company, in manner and according to the directions of the said Acts, and also to provide for the forfeiture of the shares in case of default in said payment: and all such Bye Laws, Ordinances and Regulations so to be made, shall be as binding upon the Stockholders and their assignees for the time being, so long as the same remain in force, as if they were enacted by this or any other Act of the General Assembly of this Province.

Bye Laws may contain provisions for securing the residue of the Capital and for the forfeiture of Shares in case of default.

Act not to authorize the Company to call upon any Stockholder for an instalment after notice of abandonment of Stock.

VI. Provided always and be it further enacted, That nothing herein contained shall be construed to authorize the said Company to call upon any Stockholder for any instalment after notice being given to the said Company of the abandonment of any Stock held by such Stockholder.

CAP. XXXIV.

An Act to provide for making and maintaining a Canal across Grimross Neck, in Queen's County.

Passed 23d March 1839.

Preamble.

WHEREAS the cutting a Canal across Grimross Neck, in Queen's County, 'would greatly facilitate the navigation of the River Saint John, and 'advance the general interests of the Province:'

Governor to appoint three Commissioners for opening a Canal across Grimross Neck.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That it shall and may be lawful for the Lieutenant Governor or Commander in Chief for the time being, to appoint three fit and proper persons to be Commissioners for opening, cutting, finishing and maintaining a Canal across Grimross Neck, in Queen's County, and to remove them or either of them at pleasure, and to appoint others in their stead.

II.

II. And be it enacted, That it shall and may be lawful to and for the said Commissioners, their agents, servants, workmen and assistants, and they are hereby authorized and empowered, to design, erect, order, dig, excavate and build, and to complete, maintain and keep in repair a Canal across the isthmus or neck of land commonly called Grimross Neck, in Queen's County, at such place as they may deem most advisable and fit for such Canal, whether on private property or on a public highway, and to dig and make proper foundations in the River Saint John and Gagetown Creek, and on the lands and grounds lying on each side of said Canal, and to cut and level the banks of the said River and Creek in such manner as may be necessary and proper for making the said Canal, and to cut, remove, take and carry away all and every impediment whatever, which may in any wise tend to hinder or impede the erecting and completing the said Canal, and to execute all other things requisite and necessary, useful or convenient, for erecting, digging, maintaining and supporting the said Canal according to the true intent and meaning of this Act; and further, that they may from time to time enter and go in and upon the lands and grounds adjacent to the said Canal for the purpose of making surveys, examinations, or other necessary arrangements for fixing the site of the said Canal; and further that for the purpose of erecting, digging, building, maintaining, repairing and supporting the said Canal, the Commissioners shall from time to time have full power and authority to land and place on either side of said Canal, within twenty yards of the same, all materials and other things to be used in and about the same, and there to work and use such materials and things according as they the said Commissioners, and the persons to be by them appointed, shall think proper, without any previous agreement with the owner or owners of the land, doing as little damage as may be, and making such satisfaction as hereinafter mentioned to the respective owners and occupiers of all lands and grounds, tenements and hereditaments which shall be used and occupied, altered, damaged, spoiled, taken or made use of by means or for the purposes of this Act.

Power given to make the Canal, enter on and occupy the adjacent ground.

III. And be it enacted, That the said Commissioners shall make, allow and pay reasonable and proper compensation and satisfaction for all lands, tenements and hereditaments taken, used and occupied, altered, damaged or spoiled by means of and for the uses and purposes of this Act, to be agreed upon by the said Commissioners and the respective owners and occupiers of such lands, tenements and hereditaments; and in case of disagreement between them or any of them, then such compensation and satisfaction shall be determined by three arbitrators, one to be chosen by the said Commissioners and one by the owner or owners, occupier or occupiers of the private property in question; which two arbitrators so chosen shall choose the third arbitrator, and in case of their not agreeing in such choice within ten days after their appointment, then and in such case it shall and may be lawful for the Lieutenant Governor or Commander in Chief for the time being, upon application of the said Commissioners to appoint the third arbitrator; the award of the said arbitrators or any two of them shall be final and conclusive in the matters referred to them; and the amount adjudged and awarded to them respectively shall be paid by the said Commissioners within thirty days after such award shall be duly made and delivered; and in case any of the said owners or occupiers of such property shall decline or refuse to make such agreement or appoint such arbitrator, then and in such case it is hereby declared that such person or persons so declining or refusing shall have no other remedy, either at law or in equity against the said Commissioners for any loss or damage which he, she or they may sustain by reason of making, erecting, digging, building, finishing and maintaining such Canal.

Compensation for all land, &c. used for the purposes of this Act to be made.

In case of disagreement, compensation to be settled by arbitrators.

Wilfully destroy-
ing or damaging
works adjudged
felony, and to be
punished as in 1
W. 4. c. 14.

IV. And be it enacted, That if any person or persons shall wilfully or maliciously, and to the prejudice of the said undertaking, break, damage, throw down, destroy, injure or remove any of the works to be erected or materials to be used by virtue of this Act, any such person or persons so offending shall be deemed and adjudged guilty of felony, and being lawfully convicted thereof shall be liable and subject to the punishment prescribed for felony in and by an Act made and passed in the first year of the reign of His late Majesty King William the Fourth, intituled "An Act for improving the administration of Justice in Criminal cases."

Legislative grants
limited to £1,250;
all further expen-
ses to be borne by
individual sub-
scription.

V. Provided always and be it enacted, That no greater sum shall be granted by the Legislature of this Province for the cutting, making and completing of the said Canal, and for the land through which the same shall be cut, then the sum of one thousand two hundred and fifty pounds, and that all further expence incurred in and about the making and completing of the same, shall be borne by individual subscription.

Commissioners
not to proceed
with the Canal
until a sufficient
sum be raised
from subscription.

VI. And be it enacted, That it shall not be lawful for the Commissioners to be appointed under the provisions of this Act, to enter into any Contract for the cutting, making and completing of the said intended Canal until a sufficient sum of money shall be raised and paid from individual subscriptions; which, with the said sum of one thousand two hundred and fifty pounds mentioned in the fifth section of this Act, shall be deemed sufficient to complete the said work, anything in this Act contained to the contrary notwithstanding.

Canal and lands
to be public pro-
perty and free
from any toll.

VII. And be it enacted, That the said Canal and all and singular the lands on either side taken in the manner hereinbefore pointed out, and all roads and paths along the same, and all other the appurtenances to the said lands and Canal belonging, shall be deemed and taken to the public property of the Province, and under the control of the Legislature thereof, and shall be free from any toll or charge.

CAP. XXXV.

An Act for the improvement of the Practice in the Court of Chancery.

Passed 23d March 1839.

Preamble.

6 **W**HEREAS the Practice of the Court of Chancery is in many respects 'dilatory and expensive, and ill adapted to the state of the Province, 'and requires extensive alterations and amendments;'

Chancellor with
the advice of Mas-
ter of the Rolls to
direct the forms of
process and pre-
scribe the practice.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That the Chancellor, by and with the advice and consent of the Master of the Rolls, shall have full power and authority from time to time to direct and declare the forms of process, and to prescribe, modify, alter and amend the practice and proceedings to be observed in all matters of which the said Court now has or hereafter may have cognizance and jurisdiction.

Terms of the
Court.

II. And be it enacted, That there shall be three Terms of the said Court in each year, that is to say: Hilary Term, to commence on the last Tuesday in January and to end on the Saturday then next ensuing; Trinity Term, to commence on the first Tuesday in June and to end on the Saturday then next ensuing; and Michaelmas Term, to commence on the first Tuesday in October and to end on the Saturday then next ensuing; and that causes and other matters to be heard in the said Court may be brought to hearing and heard and determined in vacation as well as in term, under such regulations as may be established in that behalf by the rules and orders of the said Court.

Causes may be
determined in va-
cation.

III. And be it enacted, That the common Gaol of the County of York shall be the prison of the said Court; provided always, That in case it shall be expedient and the ends of justice be thereby answered, any prisoner of the Court may be committed to the common gaol of any County within which he may have been arrested, in case the Court shall so order and direct.

York County Gaol to be the prison of the Court.

Exception.

IV. And be it enacted, That it shall be the duty of the Sheriffs in the several Counties to serve any writs of subpœna, or execute any process of this Court within their respective Counties that may be sent to them for that purpose, and they shall be entitled to the following fees and emoluments in respect of the same, that is to say: for the service of every subpœna to appear and answer, two shillings and six pence; for every arrest under a writ of attachment or other process, five shillings; and also the same allowance for travel and poundage as in case of process issuing out of Courts of Common Law: Provided always, That no charge for poundage shall be allowed except in case of monies actually received and paid over under process of this Court, and the amount of such poundage shall in such cases be levied and received in addition to the sum directed to be paid or levied by such process.

Sheriffs of the several Counties to serve writs, &c.

Fees.

V. And be it enacted, That all Sheriffs, Deputy Sheriffs, Gaolers, Constables and other Officers shall be aiding, assisting and obeying the said Court in the exercise of its jurisdiction whenever required so to do.

Sheriffs, &c. to be aiding the Court.

VI. And be it enacted, That in case the Plaintiff, in any suit commenced or to be commenced in the said Court, shall neglect to proceed in the same in due time, according to the practice of the said Court, the Bill may be ordered to be dismissed, and in case the Defendant shall neglect to appear in due time after service of process, or shall neglect to put in his answer, or to take any other necessary step in the cause, within the time in that behalf limited by the practice of the said Court, the Bill may be ordered to be taken against him as confessed, subject nevertheless to such regulations and restrictions as may be established and provided in that behalf by the rules and orders of the said Court.

If Plaintiff do not proceed in due time, Bill to be dismissed.

If Defendant do not appear and answer, Bill to be taken as confessed.

VII. And be it enacted, That the several Masters in ordinary in this Court now appointed, or hereafter to be appointed, shall have power to act as examiners in the said Court; and in any case where, from the remoteness of residence of any examiner from the place of residence of the witness, or other circumstance, it may be deemed expedient, the Chancellor or Master of the Rolls shall have full power and authority, by order of the said Court, specially to appoint some other person or persons *pro hac vice*, who shall have power to administer the oath to the witnesses and take the examination in such cause: Provided always, That no examination be taken by any examiner, until such examiner shall have been first duly sworn according to the rules and regulations of the said Court to be established in that behalf.

Masters in ordinary to act as Examiners.

Court may in certain cases appoint other persons.

Examiners to be sworn.

VIII. And be it enacted, That the examination of witnesses in matters pending in the said Court to such extent and subject to such rules and regulations as may in that behalf be prescribed and established, may be conducted on questions suggested and proposed at the time of examination, and be attended by the parties, their Solicitors and Counsel.

Examination of witnesses, how conducted.

IX. And be it enacted, That all monies that shall become subject to the control and distribution of this Court, shall be paid into the hands of such person or body corporate or politic as the Master of the Rolls shall from time to time direct, or be vested in such securities as the Master of the Rolls shall approve, and all interest or increase accruing thereon shall be added to the principal and distributed therewith to the person entitled to the same, subject to such rules and regulations as may be established in that behalf.

Money subject to the control of the Court to be vested as the Master of the Rolls shall approve.

X.

Abatement of suits by death of parties.

X. And be it enacted, That where in any suits pending in the said Court the cause of action shall survive, such suit shall not abate by reason of the death of one or more of the Plaintiffs or Defendants, but upon suggestion of such death to the Court the suit shall be allowed to proceed in favor of or against the surviving party as the case may be; and in case of the death of one or more Plaintiffs or Defendants in any suit where the cause of action shall not survive, it shall only abate as to the person or persons so dying and not otherwise.

Revival of suits.

XI. And be it enacted, That in all cases where it shall be necessary to revive a suit against the representatives of a deceased Defendant, no bill of revivor shall be necessary, but the Court may by order direct that the same stand revived, upon the petition of the Plaintiff, subject to such rules and regulations as may be made in that behalf.

Court may enforce its decrees by execution against the body, chattels or lands.

XII. And be it enacted, That the said Court shall have power to enforce performance of any decree, or obedience thereto, by execution against the body of the party against whom such decree is made, or against the goods and chattels, and in default thereof the lands and tenements of such; which execution so issued shall have the like effect as executions issuing out of the Supreme Court of the said Province; and every person so imprisoned under any execution issuing out of the said Court of Chancery shall be entitled to the like benefit of any statute made for the relief of insolvent debtors, as if arrested under process of the said Supreme Court.

Practice of the High Court of Chancery in England to obtain, when not otherwise provided for.

XIII. And be it enacted, That in all matters relating to the practice of this Court, not otherwise particularly provided for by Legislative enactment or the rules and orders of this Court, the rules of practice of the High Court of Chancery in England, as now established, shall be in force, subject nevertheless to the like exceptions, limitations, restrictions and rules of construction in the application of the same as the practice of the said High Court of Chancery prevailing and in force at the time of the erection of this Province have heretofore been, and subject to be altered, modified and restricted by such rules of practice as may be hereafter from time to time introduced and established in the Court of Chancery of this Province by any Act or Acts of the General Assembly, or the orders of the said Court.

Chancellor with the consent of the Master of the Rolls may prepare a table of fees for the Court.

XIV. And be it enacted, That from and after the passing of this Act it shall and may be lawful for the Chancellor, by and with the consent of the Master of the Rolls, to prepare and make a proper table of fees for the Court of Chancery in this Province, in lieu of the table of fees at present established in that Court, which table of fees so to be made and established as aforesaid shall be in full force and effect from the time notice thereof shall be given by the Master of the Rolls in the Royal Gazette, until altered by any Legislative enactment in this Province.

CAP. XXXVI.

An Act relating to the partition of lands, tenements and hereditaments, held in coparcenary, joint tenancy and tenancy in common.

Passed 23d March 1839.

WHEREAS the present mode of proceeding for the partition of lands, tenements, and hereditaments, held in coparcenary, joint tenancy and tenancy in common, has been found inconvenient;

Partition of Lands, &c. held in coparcenary to

I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and after the passing of this Act, the partition of lands, tenements, and

and hereditaments, held in coparcenary, joint tenancy or tenancy in common, shall be effected by the Court of Chancery according to the practice and proceedings established or to be established in that Court.

be effected by the Court of Chancery according to the practice of that Court.

II. And be it enacted, That in case any of the parties to any proceeding in the said Court of Chancery for a partition, shall be infants under the age of twenty one years, it shall and may be lawful for the said Court to appoint a guardian or guardians *ad litem* for such infant, in like manner as such guardians may be appointed in any other suit in the said Court.

Court may appoint guardians *ad litem* when any of the parties are under age.

III. And be it enacted, That the decree of the said Court, whereby any part or portion of lands, tenements or hereditaments, held in coparcenary, joint tenancy or tenancy in common shall be decreed to any coparcener, joint tenant, or tenant in common, in severalty, shall operate and be effectual to convey and transfer to such coparcener, joint tenant, or tenant in common all and singular the right, title, interest, property, claim and demand of all and every other of the coparceners, joint tenants, or tenants in common, as such interested therein, as well infants and feme coverts as others, being parties to such proceeding, in as full and ample a manner as if the same had been conveyed and transferred by deed or conveyance, duly signed, sealed and delivered by such other coparceners, joint tenants and tenants in common, and duly proved or acknowledged, and registered in the County where such part or portion of the lands may lie, and in the case of infants in like manner as if such infants were at the time of full age; Provided always, That such decree shall have been first duly signed and enrolled, and registered in the Office of Register of Deeds of the County where the lands may lie, according to the provisions hereinafter contained.

Decree of the Court signed, sealed, and registered to convey the lands, &c. decreed to any coparcener as effectually as a conveyance from the other coparceners.

IV. And be it enacted, That any decree of the said Court of Chancery, having been first duly signed and enrolled, may be registered in the Office of the Register of Deeds for any County in like manner and order, as any deed or conveyance, upon production to the Register of Deeds of a copy thereof, with a certificate indorsed thereupon, of the Registrar of the Court of Chancery, under the seal of the said Court, that the same is a true copy of a decree of the said Court, and that the same has been duly signed and enrolled; and the Register of Deeds shall indorse upon such copy a certificate of such registry in like manner as is required by law, in respect of any deed or conveyance duly registered, and for his services in that behalf shall be entitled to the like fees and emoluments as are provided in the case of the registry of deeds and conveyances; and such copy of such decree with such certificates thereon shall be evidence in all Courts of Law and Equity in this Province, of such decree and of such registering thereof, and a copy from the County Registry of such decree, duly certified by the Register of Deeds shall be admitted in evidence in such cases and under such rules and restrictions as a copy of a registered deed taken from such County Register would be so admitted.

Decree may be registered in the County Registry.

Copy from the Registry to be admitted in evidence.

CAP. XXXVII.

An Act in amendment of the Act relating to the appointment of a Master of the Rolls in the Court of Chancery.

Passed 23d March 1839.

I. **B**E it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the right and power of appointment to the office of the Master of the Rolls, pursuant to an Act of the Assembly passed in the first year of Her present

Right of appointment of the Master of the Rolls vested in the Queen's Majesty.

present Majesty's Reign, intituled "An Act to authorise the appointment of a Master of the Rolls to the Court of Chancery in this Province, and to provide for such officer," and subject to the provisions and limitations therein contained, shall and is hereby declared to be vested in the Queen's Majesty and Her successors, any thing in the said recited Act to the contrary notwithstanding.

Act not to authorize the cancelling of the appointment already made.

II. Provided always and be it enacted, That nothing in this Act contained shall extend or be construed to cancel, vacate or annul, or to authorize the cancelling, vacating or annulling of the appointment already made by His Excellency the Lieutenant Governor to the said Office by virtue of the power and authority in him vested, by and in due conformity with the said recited Act; but the present Master of the Rolls shall continue to hold and enjoy the said office, with all the rights, privileges and advantages thereunto appertaining, according to the provisions of the said recited Act: Provided also, that nothing in this Act contained shall extend or be construed to prevent a provisional appointment being made to the said office in case of vacancy, by the Lieutenant Governor or Commander in Chief for the time being, in like manner as in the case of other judicial appointments.

Proviso for provisional appointment in case of vacancy.

Usual place of residence of the Master to be where the Court sits.

III. ' And whereas it is deemed necessary for the convenience of suitors and the ' despatch of business, that the Master of the Rolls should reside where the Court ' of Chancery sits; ' Be it therefore enacted, That from and after the first day of October next, the usual place of residence of the Master of the Rolls shall be in the place where the Court of Chancery sits, and not elsewhere.

CAP. XXXVIII.

An Act to authorize Her Majesty's Justices of the Peace for the Counties of Gloucester and Restigouche to assess the said Counties.

Passed 23d March 1839.

Preamble.

WHEREAS the tract of country formerly established as the County of ' Gloucester, hath recently been set off into two distinct and separate ' Counties, denominated the County of Gloucester and the County of Restigouche: ' And whereas at the time of the division of the County of Gloucester, the same ' was liable and subject to a certain debt of one hundred and fifty pounds, which ' it is reasonable and just to assess and levy on the said Counties of Gloucester ' and Restigouche, in a fair rate and proportion, in order that the same may be ' discharged;'

Justices of Gloucester authorized to assess the County for £100, and of Restigouche for £50.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That it shall and may be lawful for Her Majesty's Justices of the Peace of the said Counties of Gloucester and Restigouche respectively, and they are hereby required, at their General Sessions of the Peace respectively next succeeding the passing of this Act, to assess their respective Counties in the rate following, that is to say, the sum of one hundred pounds upon the County of Gloucester, and the sum of fifty pounds upon the said County of Restigouche.

Money to be assessed &c. as other County rates.

II. And be it further enacted, That the said sums so to be assessed as aforesaid, shall be assessed, levied, collected and paid agreeably to any Acts now or hereafter to be in force, for the assessing, collecting and levying of County Rates.

CAP. XXXIX.

An Act in addition to an Act, intituled "An Act to prevent Desertion from His Majesty's 4 W. 4, c. 18.
Forces, and to punish unlawful dealings with Soldiers or Deserters."

Passed 23d March 1839.

I. **B**E it enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and after the passing of this Act, if any Licenced Tavernkeepers or Retailer within this Province shall, under the provisions of any existing law, be convicted of directly or indirectly persuading or seducing any Soldier to desert from Her Majesty's service, or assisting any Deserter from Her Majesty's service, knowing him to be such, in deserting or in concealing himself from such service, or of buying, exchanging or detaining, or otherwise receiving, from any Soldier or Deserter upon any account whatever, any arms, clothing, caps or other furniture belonging to the Queen, or any such articles belonging to any Soldier or Deserter as are generally deemed regimental necessaries, according to the custom of the army, or shall exchange, buy or receive from any Soldier any provisions, unless by consent of the officer commanding the regiment or detachment to which such Soldier shall belong, it shall and may be lawful for His Excellency the Lieutenant Governor or Commander in Chief for the time being, by and with the advice of Her Majesty's Executive Council, to annul, abrogate and make void the Licence of such Tavernkeeper or Retailer.

Governor with advice of Council may annul the licence of any Tavern Keeper or Retailer convicted of seducing or assisting Soldiers to desert, purchasing or receiving Regimental necessaries, &c.

II. And be it further enacted, That immediately on receiving notice of the annulment of such Licence, the said Tavernkeeper or Retailer shall thenceforth be deemed and taken to be an unlicenced person, to all intents and purposes, and shall further be disqualified from holding a Tavern or Retail Licence for the space of one year from the time of such annulment, any law or usage to the contrary thereof in any wise notwithstanding.

Tavern Keeper or Retailer on notice of annulment to be considered an unlicenced person and disqualified from holding licence for one year.

III. And be it enacted, That this Act shall be publicly read by the Clerk at the opening of every Court of General Sessions of the Peace in the several Counties of this Province, at the time any other Acts relating to Tavernkeepers and Retailers may be so read.

Act to be read at opening of Sessions.

IV. And be it further enacted, That this Act shall continue and be in force until the first day of May which will be in the year of our Lord one thousand eight hundred and forty four, and no longer.

Limitation.

CAP. XL.

An Act to empower the Commissioners of the Marine Hospital at Saint Andrews, in the County of Charlotte, to purchase a lot of land for the benefit of the said Hospital.

Passed 23d March 1839.

‘WHEREAS the enlarging the grounds of the Marine Hospital at Saint Andrews, in the County of Charlotte, would much conduce to the health and comfort of its inmates;

Preamble.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That the Commissioners of the said Marine Hospital are hereby authorized and empowered to purchase a lot of land, situate on the Town plat of Saint Andrews, in the County of Charlotte, commonly called the Rectory Lot, adjoining the one on which the said Hospital is now erected, and to make such improvements thereon as may by them be deemed necessary for the health and comfort of the inmates of the said Hospital.

Commissioners empowered to purchase a specified lot of land and make improvements for the use of the Hospital.

Title to be in the Commissioners and their successors.

Lot not to be alienated, &c. without the authority of an Act of Assembly.

II. And be it further enacted, That the said lot of land when so purchased, shall be conveyed to the said Commissioners of the said Marine Hospital, to hold to them and their successors in office for ever for the purposes aforesaid.

III. And be it further enacted, That the said lot of land or any part thereof, shall not in any way or by any means whatever be alienated or granted or disposed of by the said Commissioners or their successors in office for any other purpose whatever than as hereinbefore stated, without an Act of the General Assembly authorizing the same.

CAP. XLI.

1. W. 4, c. 33.

An Act to continue an Act, intituled "An Act to provide for the support of a Nightly Watch in and for lighting the City of Saint John, and for other purposes."

Passed 23d March 1839.

4 W. 4, c. 33, continued.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the fourth year of the Reign of His late Majesty King William the Fourth, intituled "An Act more effectually to provide for the support of a Nightly Watch in and for lighting the City of Saint John, and for other purposes," be and the same is hereby continued and declared to be in full force until the first day of April which will be in the year of our Lord one thousand eight hundred and forty five.

CAP. XLII.

An Act to amend the Law relating to Bastardy.

Passed 23d March 1839.

32 G. 3, c. 3, sec. 3, repealed.

Orders of affiliation or maintenance to be made by the Justices in Sessions.

Court on oath of the Mother may adjudge person charged the reputed father.

Court may postpone the order of affiliation or maintenance in certain cases, and thereupon person charged to enter into recognizance for appearance.

I. **B**E it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the third Section of an Act made and passed in the thirty second year of the Reign of King George the Third, intituled "An Act to provide for the maintenance of Bastard Children," be and the same is hereby repealed.

II. And be it enacted, That all orders of affiliation or maintenance to be made in pursuance of the said recited Act, shall be made by the Justices of the Peace in General Sessions.

III. And be it enacted, That in case any person appearing before such Court of General Sessions, charged with being the reputed father of a bastard child, likely to become chargeable to any Parish, shall traverse or deny the charge, such Court on the oath of the mother of such child, or such other testimony as may be offered to their satisfaction, may adjudge such person the reputed father as aforesaid.

IV. And be it enacted, That when the child with which the woman may be pregnant likely to be chargeable as aforesaid, may not be born at the time of any person appearing before such Court charged with being the reputed father of such child, or in any case where the said Court, either for the purpose of procuring further testimony or for other reasons, shall consider it necessary to put off the consideration of the charge, or the making of an order of affiliation or maintenance until the next Court of General Sessions to be held for such County, such Court shall be at liberty so to order and direct; and thereupon the persons so charged shall forthwith enter into recognizance with one or more sufficient sureties to the satisfaction of such Court for his appearance at the next General Sessions

Sessions of the Peace to be held for said County to answer the said charge, and further to be dealt with according to law ; and on neglect or refusal to give such recognizance may be committed by such Court to the Common Gaol of said County.

V. And be it enacted, That when the said Court adjudge such person the reputed father of such child, they shall thereupon make their order of affiliation in which shall be specified the expenses already incurred, as well for the lying in expenses as for the apprehension and conviction of such reputed father, and also for the support of such child up to the time of making such order, and also such weekly sum as shall thereafter be paid by such reputed father for the future support of such child while chargeable on any Parish.

Order of affiliation to specify expenses incurred and weekly sum to be thereafter paid.

VI. And be it enacted, That on notice of any such order such reputed father shall thereupon forthwith pay into the hands of the Clerk of the Peace for the use of the Overseers of the Poor of the Parish where such child is chargeable, such sums as shall be so ordered for expenses so already incurred as aforesaid, and shall also enter into recognizance conditioned that such person, his executors and administrators, shall pay to the Overseers of the Poor of such Parish such weekly sum as shall be so ordered for the future support of such child.

On notice of order reputed father to pay expenses incurred and enter into recognizance for the weekly sum for future support.

VII. And be it enacted, That if any such reputed father shall refuse or neglect to perform such order, or to give such recognizance, such Court may thereupon forthwith commit such reputed father to the common gaol of the County, there to remain until he enter into such recognizance or be otherwise discharged by law : Provided always, that when such reputed father is wholly unable to perform such order or to find such sureties, the said Court may in their discretion at any time order such father to be discharged.

On neglect to perform the order or give recognizance reputed father may be committed to gaol.

Proviso.

VIII. And be it enacted, That any recognizances required by this Act shall be jointly and severally acknowledged by the said reputed father and one or more sufficient sureties to the satisfaction of such Court, or in case the said reputed father be under the age of twenty one years, then by two sufficient sureties as aforesaid and payable to Her Majesty, Her Heirs and Successors, in a penal sum not exceeding fifty pounds, in the form given by the Schedule to this Act annexed, or in words to the like effect.

Recognizances to be acknowledged by the reputed father and sureties to the satisfaction of the Court.

Recognizance by Minors.

IX. And be it enacted, That when any such recognizance or any recognizance taken by virtue of the said recited Act, whether taken before such Court or a single Justice of the Peace, may become forfeited by reason of the non-performance of the condition thereof, proceedings may be had at the instance of the Overseers of the Poor of the Parish interested, in the said Court of Sessions in the nature of *Scire Facias*, (issuable either in term or vacation,) for the recovery of the penalty of the said recognizance ; and upon the return of such *Scire Facias* duly served at least fourteen days before the return thereof, the said Court may proceed in a summary manner to hear and determine the question whether the party appear or make default, and in case the said Court thereupon adjudge the said recognizance forfeited by reason of the non-performance of the condition thereof, may award execution directed to the Sheriff of such County, agreeably to the form hereinafter provided for, and the amount thereof when paid or levied shall be paid into the hands of the Clerk of said Court for the purpose of being applied under the direction of the said Court to the support of the Poor of the Parish interested : Provided always, that such Court may from time to time in their discretion make such order and give such relief, either for the stay of proceedings or the whole or partial discharge of such recognizance, and on such terms and conditions as such Court may think reasonable and proper.

Overseers of Poor of Parish interested may institute proceedings on recognizances forfeited.

Sheriff to execute
Scire Facias or
execution in the
same manner as
other writs and be
entitled to the
same fees.

X. And be it enacted, That it shall be the duty of the Sheriff to whom any such *Scire Facias* or execution may be directed to serve and execute the same within his bailiwick in the same manner as other writs of *Scire Facias* or execution are served, and to make due return thereof, for which he shall be entitled to the same fees as in other like cases, to be allowed and paid by the said Court as a part of the contingent expenses of the County, unless in the case of an execution levied by or paid to him, in which case such Sheriff may levy or receive his fees for service of such execution and poundage thereon from the party against whom such execution may be issued.

Certified copy of
proceedings to be
received in all
Courts as evidence
thereof.

XI. And be it enacted, That a certified copy signed by the Clerk and under the seal of the said Court, of any such proceedings, shall be received in all Courts of Law or Equity in this Province as evidence thereof in the same manner as if the original were produced.

Form of *Scire
Facias*, Judgment
and Execution.

XII. And be it enacted, That the said *Scire Facias*, Judgment and Execution in such proceedings, may be in the form given by the Schedule to this Act annexed, or in words to the like effect.

Commissioners of
Alms or Poor
House to be deem-
ed Overseers of the
Poor for the pur-
poses of this Act.

XIII. And be it enacted, That in any Parish within this Province, wherein Commissioners of Alms or Poor Houses are established, such Commissioners shall, in all respects, be deemed and considered the Overseers of the Poor of such Parishes for all the purposes of the said recited Act or this Act.

SCHEDULE.

Form of Recognizance taken before a single Justice, for appearance at Sessions, &c.

Form of Recogni-
zance taken before
a single Justice
for appearance at
Sessions, &c.

ss. Be it remembered that on the day of , in the year of the Reign of our Sovereign Lady Victoria, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, A. B. of in said County and C. D, of in said County , personally came and appeared before me Esquire, one of Her Majesty's Justices of the Peace, in and for the said County, and acknowledged themselves to be jointly and severally indebted to our said Sovereign Lady the Queen, in the sum of pounds, of lawful money of New Brunswick, upon condition, that if the said A. B. [*or in case the person charged be under age, that E. F.,*] shall personally appear at the next General Sessions of the Peace to be holden at , in and for the said County, then and there to answer to a charge made against him as being the reputed father of a Bastard Child, likely to be chargeable to some Parish in said County, and not to depart without leave of the said Court.

Taken and acknowledged before me, the same day and year aforesaid.

A. L. J. P.

Form of Recognizance taken in open Court to appear or to perform Order, &c.

Form of Recogni-
zance taken in
open Court, to ap-
pear or to perform
Order, &c.

ss. Be it remembered, that at the General Sessions of the Peace, held at , in and for the County aforesaid, on the Tuesday in the year of the Reign of our Sovereign Lady Victoria, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, before [*naming the senior Justice actually presiding at the time of taking such recognizance*], and others, Justices of our said Lady the Queen, assigned to keep the Peace of our said Lady the Queen, in and for said County, and also to hear and determine divers felonies, trespasses and other misdemeanours committed in the said County, personally appeared A. B. of , in said County , and C. D. of , in said County , and acknowledged themselves jointly and severally

severally indebted to our said Sovereign Lady the Queen, Her Heirs and Successors, in the sum of pounds of lawful money of New Brunswick, upon condition that if the said A. B. [*or in case such reputed father be under age, that if E. F.*] shall personally appear at the next General Sessions of the Peace to be holden at in and for said County, then and there to answer to a charge against him as being the reputed father of a Bastard Child, likely to be chargeable to some Parish within the said County, and not to depart without leave of the said Court, then this recognizance to be void, otherwise in full force.

Taken and acknowledged in open Court,

L. M. Clerk Peace.

[*Or in case the condition of such recognizance be to perform any order of maintenance made or to be made by such Court for the support of any such child:*] upon condition that if said A. B. [*or in case such father be under age, that if E. F.*] shall well and truly at all times obey and perform all or any orders of such Court, made or to be made, touching the support or maintenance of a Bastard Child, while chargeable on any Parish in said County, and of which child the said

has been by such Court adjudged the reputed father, then this recognizance to be void, otherwise in full force.

Taken and acknowledged in open Court,

L. M. Clerk Peace.

Form of Scire Facias.

ss. Victoria by the Grace of God, &c.

To the Sheriff of the County of

Greeting :

Form of Scire
Facias.

Whereas A. B. and C. D., lately in and before the Court of General Sessions of the Peace held at , in and for said County, on the Tuesday , in the year , acknowledged themselves indebted to our Sovereign Lady Queen Victoria, in the sum of of lawful money of New Brunswick, upon condition that A. B. should personally appear at the next General Sessions of the Peace, to be held in and for said County, to answer a certain charge made against the said A. B. as being the reputed father of a Bastard Child, as by said recognizance will appear, [*or in case such recognizance be for the performance of any order of said Court for maintenance of such Child, say upon condition, here recite condition according to the fact.*] And whereas the said Court is given to understand that the said A. B. hath failed to perform the condition of the said recognizance whereby the same hath become forfeited; These are therefore to command you that you make known to the said that they appear before the next Court of General Sessions of the Peace to be holden at , in and for said County, on the Tuesday in next, to show cause, if any they have or know, why execution should not issue against them according to the effect of such recognizance. Witness [*Senior Justice*] at the [*last day of previous Session*] in the year of our reign.

A. B. Clerk.

[*Or in case such recognizance shall have been taken before a single Justice for appearance at such Court, the Scire Facias to be in like form as near as may be, reciting as follows:*] Whereas A. B. lately before A. C. one of Her Majesty's Justices of the Peace, in and for the said County, personally appeared and acknowledged himself indebted, upon condition [*as before, &c.*]

*Form of Minute and Entry of Judgment.*Form of Minute
and Entry of
Judgment.

At a Court of General Sessions of the Peace, held at _____, in and
for the County of _____, on the _____ Tuesday of _____, 18 _____,
before _____ and other Justices of said Court.

It appearing to this Court that A. B. hath not performed the condition of a certain recognizance lately entered into by him relating to a charge of Bastardy, and the said A. B. having been duly served with a *Scire Facias* thereon returnable at this present Term, and not appearing thereto, [*or if appearing* not shewing sufficient cause]; It is considered and adjudged by the Court that such recognizance is forfeited, and that Execution do issue against the said A. B. according to the form and effect of such recognizance.

Form of Execution.

Form of Execution.

General Sessions, ss. Victoria, by the Grace of God, of the United
L. S. Kingdom of Great Britain and Ireland, Queen, Defender of the
Faith, &c.

To the Sheriff of _____

Greeting :

Whereas at a Court of General Sessions of the Peace held at _____,
in and for the said County, on the _____ Tuesday in _____, It was
adjudged that a certain recognizance entered into by _____, in the penal
sum of _____, with a condition relating to a case of Bastardy, had
become forfeited by reason of the condition thereof not being performed, of which
execution remains to be done; We therefore command you that of the good
and chattels of the said _____ in your Bailiwick you cause to be
made the said sum of _____ and have that money before us at the
next Court of General Sessions of the Peace to be held at _____,
on _____, to be paid and applied according to law, and for want of
goods and chattels whereon to levy you will take the body of the said
_____ and him safely keep in the common gaol of your County until he pay
the said sum of _____ or be otherwise discharged, and make return
hereof. Witness _____, at _____, this _____ day of
_____ in the _____ year of our reign.

A. L. Clerk.

CAP. XLIII.

An Act to declare the priority of Registered Deeds, and other incumbrances upon Land.

*Passed 23d March 1839.*Deeds, Wills,
Judgments and
Recognizances to
have priority ac-
cording to the time
of Registry.

I. **B**E it declared and enacted by the Lieutenant Governor, Legislative Council and Assembly, That every Deed, Conveyance, Will and Devise duly registered, and every judgment and recognizance whereof a memorial may be duly registered in the office of Register of Deeds of the County where the lands affected by any such conveyance or incumbrance may lie, under the provisions of any Act of Assembly in this Province, shall have effect both in law and equity according to the priority of time of such registry.

CAP. XLIV.

An Act to provide for the prompt payment of all demands upon the Provincial Treasury.

Passed 23d March 1839.

WHEREAS it is deemed advisable to empower the Treasurer for the time being of this Province, to enter into agreement with one of the Banks or Banking Companies, or any Branch thereof, now established in the City of Saint John, for advancing to him the said Treasurer, upon the credit of the Province, such sum or sums of money as may be required from time to time for the public service;

Preamble.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That it shall and may be lawful for the said Treasurer for the time being, and he is hereby authorized and required to receive Tenders from any such Bank, Banking Company, or Branch thereof, in the said City of Saint John, as may be willing to advance such sum or sums of money as aforesaid; and it shall be the duty of the said Treasurer, within thirty days after the passing of this Act, to give public notice by advertisement in at least two of the Newspapers published in the said City, that such Tenders will be received by him at any time or times on or before the first day of June next.

Treasurer to receive Tenders from any Bank or Branch in the City of Saint John willing to advance money for the public service.

II. And be it further enacted, That it shall be the duty of the said Treasurer forthwith after the said first day of June next, to submit such Tenders as shall have been received by him, to His Excellency the Lieutenant Governor or Commander in Chief for the time being, who shall and may, by and with the advice and consent of Her Majesty's Executive Council, signify to the said Treasurer his approval of such Tender as may be deemed most beneficial for the public interest; and the said Treasurer shall thereupon forthwith accept the said Tender and enter into the agreement accordingly, and such agreement shall contain such stipulations for carrying into effect the object thereof according to the true intent and meaning of this Act as the said Lieutenant Governor or Commander in Chief for the time being, with the advice and consent of the said Executive Council, shall direct, and shall be expressed to be made with the Queen's Majesty, Her Heirs and Successors.

Treasurer to submit Tenders to the Lieutenant Governor for approval, and enter into agreement with the party making the tender approved of.

III. And be it further enacted, That as soon as any such agreement shall be entered into for the purposes aforesaid, it shall be the duty of the said Treasurer to deposit with the said Bank or Banking Company, or Branch thereof so contracting, all the public monies which from time to time shall come into his possession or control; and the said Bank, Banking Company or Branch thereof, shall not at any time be in advance to the said Treasurer in a sum exceeding thirty thousand pounds.

After agreement entered into, Treasurer to lodge all public monies with the contracting Bank or Branch.

IV. And be it further enacted, That no contract or agreement as aforesaid shall be entered into by which a higher or greater rate of interest than five per centum per annum shall be agreed to be paid or allowed for any sum or sums of money to be advanced to the said Treasurer under the provisions of this Act.

Rate of Interest limited to five per cent.

V. And be it further enacted, That the said Treasurer for the time being shall not be charged or chargeable for any failure or default in performance on the part of the said Bank, Banking Company or Branch thereof, of any agreement or contract so to be entered into, nor for any loss or damage that may arise from any act, matter or thing, lawfully done or suffered by him under the provisions and according to the true intent and meaning of this Act: Provided always, that for any thing done or suffered by him not authorized by this Act the said Treasurer shall be liable to all intents and purposes in the same manner as if this Act had not been made.

Treasurer absolved from liability for loss suffered under this Act.

Limitation.

VI. And be it further enacted, That this Act shall continue and be in force until the first day of June which will be in the year of our Lord one thousand eight hundred and forty one.

CAP. XLV.

7 W. 4, c. 11

An Act to repeal An Act, intituled "An Act for the more effectual prevention of Fires, within the City of Saint John."

Passed 23d March 1839.

7 W. 4. c. 11, repealed.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the seventh year of the reign of His late Majesty King William the Fourth, intituled "An Act for the more effectual prevention of Fires within the City of Saint John," be and the same is hereby repealed:

Court may proceed to conviction of persons indicted under the repealed Act.

II. Provided always, and be it enacted, That when any person before the passing of this Act shall have been indicted or convicted for any offence deemed a common nuisance, under the provisions of the said recited Act, the Court in which such offence may be prosecuted, may still proceed to the conviction and punishment of such offender in like manner as if the said recited Act had not been hereby repealed: Provided always, That no judgment shall be given to abate any such nuisance, and that in no case shall a greater fine be imposed than fifty pounds and the costs of prosecution.

Proviso.

CAP. XLVI.

5 W. 4, c. 31.

An Act to revive and continue "An Act to regulate the driving of Timber and Saw Logs down the River Magaguadavic and its branches."

Passed 23d March 1839.

5 W. 4, c. 31, revived and continued.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the fifth year of the Reign of His late Majesty King William the Fourth, intituled "An Act to regulate the driving of Timber and Saw Logs down the River Magaguadavic and its branches," is hereby revived and continued in full force until the first day of April in the year of our Lord one thousand eight hundred and forty five.

CAP. XLVII.

An Act relating to Circuit Courts in the Counties of Gloucester, Restigouche and King's.

Passed 23d March 1839.

6 **W**HEREAS it is expedient that a Circuit Court be established in the 'County of Restigouche, and that certain alterations should be made in 'the time of holding the Courts in the County of Gloucester and King's County;

Provisions of 8 W. 4, c. 4. extended to the County of Restigouche.

I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the several provisions of an Act made and passed in the eighth year of the Reign of His late Majesty King William the Fourth, intituled "An Act to establish Circuit Courts in this Province, and to provide for the travelling expenses of the Judges holding such Courts," be and the same is hereby extended to the County of Restigouche in as full and ample manner, as if the several Sections of the said Act were respectively set forth in this Act.

II.

II. And be it enacted, That the period of commencement and holding the Circuit Court in the said County of Restigouche, shall be on the last Tuesday in August in each and every year.

Circuit Court for Restigouche to commence on last Tuesday in August.

III. And be it enacted, That an Act made and passed in the first year of the Reign of Her present Majesty Queen Victoria, intituled, "An Act to alter the times for holding the Circuit Courts in the Counties of Gloucester and Queen's," so far as the same relates to the County of Gloucester be and the same is hereby repealed.

1 Vict. c. 14. so far as relates to Gloucester repealed.

IV. And be it enacted, That from and after the passing of this Act, the time for commencing and holding the Circuit Court in the County of Gloucester shall be on the first Tuesday in September in each and every year, instead of the time heretofore established.

Circuit Court for Gloucester to commence on the first Tuesday in September.

V. And be it enacted, That in the year one thousand eight hundred and forty, and each and every year afterwards, the time for commencing and holding the Circuit Court in King's County shall be on the second Tuesday in July, instead of the time now by law established.

Circuit Court for King's County to commence on last Tuesday in July.

VI. And be it enacted, That this Act shall continue and be in force during the continuance of the said recited Act, passed in the eighth year of the Reign of His late Majesty King William the Fourth, and no longer.

Limitation.

CAP. XLVIII.

An Act to provide for the summary punishment of persons committing trespasses upon square Timber and other Lumber.

Passed 23d March 1839.

I. **B**E it enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and after the passing of this Act, if any person or persons, shall possess himself or themselves of any squared timber, logs or sawed lumber that may be found adrift, or in any other situation, or shall injure, cut up or destroy any such timber, logs or lumber, or shall cut away or cast adrift any boom for preserving the same, or any raft of timber, logs or lumber as aforesaid, or shall hew out the mark or marks of the owner or owners thereof, or otherwise deface or obliterate the same, with intent and design to defraud the owner or owners thereof, he or they shall, for each and every offence, forfeit and pay a sum not exceeding ten pounds, to be recovered before any two of Her Majesty's Justices of the Peace in and for the County where such offence shall be committed, with costs of prosecution, upon the oath or oaths of one or more credible witness or witnesses, and levied by warrant of distress and sale of the offender's goods and chattels, one half of the said fine to be paid to the Overseers of the Poor of the Town or Parish where the said offence shall have been committed, for the use of the Poor of the said Town or Parish, and the other half to the person who shall sue for the same, and in case the said offender or offenders so tried and convicted as aforesaid shall not have any goods or chattels whereon to levy the said fine, then it shall and may be lawful for the said Justices, under their hands and seals, to commit the said offender or offenders to the common gaol of the County where the said offence shall have been committed, there to remain without bail or mainprize for a space not exceeding twenty days, as the said Justices shall in their discretion think fit.

Persons guilty of certain offences with respect to Timber, Logs, Lumber or Booms to forfeit £10.

Recovery.

[Application.]

II. And be it enacted, That whenever complaint shall be made on oath before such Justices or either of them, by any person claiming to be owner

On complaint that any person hath possessed himself

of any Timber, &c. with intent to defraud the owner, Justices to issue a Warrant.

To seize and keep the property for the benefit of the owner.

Proceedings in relation to the delivery of the Timber, &c. upon conviction or after trial without conviction.

of any square timber, logs or sawed lumber, or by his lawful agent, that any person hath possessed himself of any such timber, logs or lumber, with the intent and design aforesaid, it shall be lawful for the said Justices, or either of them, to issue a warrant directed to any Constable of the Parish where the said property may be, requiring him to seize and take into his possession the said property and the same safely to keep for the benefit of the owner thereof; and upon conviction of the said person so offending, or upon his absconding or keeping out of the way so as to avoid being brought to justice, or after trial of the said offender without a conviction, if in any such case the said Justices shall be satisfied the said property shall belong to the said person so claiming as aforesaid, such Justices shall forthwith order the same to be delivered to the said person so claiming to be the owner thereof, or his lawful agent as aforesaid, upon payment of such reasonable charge for keeping the same as the said Justices shall in the said order direct, not exceeding the sum of twenty shillings; and if the said Justices shall not be satisfied that the said property belongs to the said person so claiming to be the owner thereof, they shall order the same to be delivered to any person who may appear to them to be the owner thereof, or his lawful agent, or on refusal of such last mentioned person to take the same, or on failure of satisfactory proof of ownership in any other person, then the said Justices shall order the delivery of the said property to the person from whose possession the same may have been taken by the said Constable by virtue of the said warrant, upon payment of the like charge as in the case of delivery to the person claiming to be the owner thereof and prosecuting as aforesaid: Provided always, that no adjudication or proceeding under this Act shall be evidence in any Court of law or equity of the right of property in any such timber, logs or lumber.

Proof of cutting out marks to be deemed *prima facie* evidence of fraud.

III. And be it further enacted, That proof of the fact of cutting out, defacing, or otherwise obliterating the mark or marks of the owner or owners of any squared timber, logs or sawed lumber, shall be deemed and taken to be *prima facie* evidence of fraud in all prosecutions to be had under the provisions of this Act.

Limitation.

IV. And be it further enacted, That this Act shall be in force until the first day of May which will be in the year of our Lord one thousand eight hundred and forty one, and no longer.

CAP. XLIX.

8 W. 4, c. 7.

An Act to alter and amend an Act, intituled "An Act to provide for the greater safety of Passengers on board Steamboats."

Passed 23d March 1839.

8 W. 4, c. 7, sec. 1 and 2, repealed.

I. **BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the first and second Sections of an Act made and passed in the eighth year of the Reign of His late Majesty King William the Fourth, intituled "An Act to provide for the greater safety of Passengers on board Steamboats," be and the same are hereby repealed; and in lieu thereof,

No British Steam Vessel to leave any Port in this Province without three Boats (and Tackle) sufficient to carry 60 passengers exclusive of the crew.

II. Be it enacted, That no British Boat or Vessel, propelled by Steam, shall be permitted by the Captain or Owner to depart from any Port or place within this Province to any other Port or place either within or without the Province, by sea, with passengers on board, without having on board or attached in a convenient manner at least three good and efficient Boats, with a sufficient quantity of good Oars and other tackle necessary therefor, of sufficient capacity in all to carry

carry sixty adult passengers exclusively of the crew; and no such vessel shall be permitted by the Captain or Owner to navigate in any of the Rivers or inland waters of this Province with passengers on board, without having on board or attached in a convenient manner as aforesaid, at least two good and efficient Boats, properly equipped with oars and other tackle as aforesaid, of sufficient capacity to convey in the whole at least thirty adult passengers, exclusive of the crew.

Steam Vessels navigating Rivers to have two Boats (and Tackle) sufficient to carry 30 Passengers.

III. And be it further enacted, That if any Master or Owner shall permit any such Vessel to depart from any Port or place within this Province, or to navigate in any of the Rivers or inland waters of this Province as aforesaid, without having on board or attached such good and efficient boats, properly equipped with oars and other tackle as aforesaid, they or either of them shall forfeit the sum of fifty pounds for each and every time such Vessel may so depart or navigate without being so provided, to be recovered, levied and applied as is directed in and by the third Section of the Act to which this is an amendment.

Leaving Port or navigating the Rivers without Boats.

Penalty.

IV. And be it further enacted, That it shall and may be lawful for the Lieutenant Governor or Administrator of the Government for the time being, by and with the advice of the Executive Council, to appoint one Commissioner, residing at each of the following places, that is to say, in the City of Saint John and Towns of Saint Andrews and Newcastle, Miramichi; which Commissioners so to be appointed shall be empowered, and they are hereby required and directed respectively to go on board, so often as need be, any such Steam Vessel, and in the event of any such Steam Vessel departing or navigating without being equipped as is prescribed by the second Section of this Act, it shall be the duty of such Commissioners respectively to report the same to the Lieutenant Governor or Commander in Chief for the time being, in order that the party or parties so offending may be proceeded against in the manner prescribed by the said third Section of the Act to which this is an amendment.

Governor to appoint Commissioners with power to board Steam Vessels and report deficiencies in respect of Boats and Tackle.

V. And be it further enacted, That in all cases when any damage or injury shall be sustained by any person being a passenger on board any Vessel propelled by steam, by the exploding, collapsing, blowing up, or giving way of any part of the machinery of such vessel, the fact of such exploding, collapsing, blowing up or giving way shall in all actions to be prosecuted against the master or owner of such vessel, by the person so sustaining injury, be taken to be, and be *prima facie* evidence of carelessness and negligence in such master or owner.

Fact of exploding, collapsing, &c. of any Steam Vessel to be *prima facie* evidence of carelessness.

VI. And be it further enacted, That this Act shall continue and be in force until the first day of April which will be in the year of our Lord one thousand eight hundred and forty three.

Limitation.

CAP. L.

An Act in further amendment of the Law relating to Tavernkeepers and Retailers.

Passed 23d March 1839.

6 **W**HEREAS in and by an Act made and passed in the first year of the 'Reign of Her present Majesty Queen Victoria, intituled "An Act in 'addition to and in amendment of an Act, intituled 'An Act to regulate Tavern-keepers and Retailers,' " power and authority is given to Her Majesty's Jus- 'tices of the Peace of this Province in their respective Courts of General Sessions, 'to enforce the observance of such rules and regulations as they had made or 'should thereafter make in and for their respective Counties, under such penalty 'or

Preamble.

1 Vict. c. 33.

‘ or penalties as to them in their respective General Sessions might seem meet, to
 ‘ be in no case less than ten shillings nor more than five pounds for each and
 ‘ every breach of such rules and regulations, such penalty or penalties to be re-
 ‘ covered before Her Majesty’s Justices of the Peace in General Sessions, or any
 ‘ two of the Justices of the Peace of the County in which the offence had been
 ‘ committed : And whereas doubts have arisen whether the said Courts of General
 ‘ Sessions of the Peace, or the said two Justices of the Peace, have any power or
 ‘ authority to compel the attendance of witnesses to give evidence before them
 ‘ respectively, on prosecutions under the provisions of the said in part recited
 ‘ Act or the Act to which the same is an addition and amendment; for remedy,’

Justices in Sessi-
 ons or any two
 Justices of the
 Peace may compel
 witnesses to give
 evidence in pro-
 ceedings for
 breach of rules,
 &c. under Acts 1
 Vict. c. 33, or 5
 W. 4, c. 3.

Power to issue
 subpœnas.

Form.

Authority given to
 fine witnesses for
 non-attendance.

Recovery and ap-
 plication.

4 W. 4, c. 45.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and after the passing of this Act, Her Majesty’s Justices of the Peace in General Sessions in the several and respective Counties, or any two of Her Majesty’s Justices of the peace, shall have full power and authority to compel the attendance of witnesses to give evidence on any proceedings had before them respectively, against any person or persons for a breach of any rule or regulation made, or for the recovery of any penalty imposed under the authority of the said above in any part recited Act, or the Act to which it is an amendment; for which purpose the Clerk of the Peace for the County in which the said offence shall have been committed and in which such proceeding is had, or one of the Justices of the Peace before whom the cause is to be tried, shall have full power and authority to issue subpœnas; and the subpœnas issuing out of the General Sessions of the Peace shall be in such form as the Court of Sessions shall from time to time prescribe, which subpœnas shall be tested in the name of any Justice of the said Court of General Sessions and returnable at the next ensuing term of the Court of General Sessions; and the subpœna to be issued by any such Justice shall be according to the form in the schedule to this Act, which subpœnas shall be served as other subpœnas issuing out of the Court of General Sessions.

II. And be it enacted, That the Justices of the Peace in General Sessions, or the said two Justices, shall have full power and authority to impose such penalty for the non-attendance of witnesses duly subpœnaed to attend before such General Sessions or the said Justices respectively, such penalty not to exceed two pounds for each contempt of non-attendance, provided it be made to appear, to the satisfaction of such General Sessions or the said two Justices respectively, that the said witness or witnesses have been legally served with the said subpœna, requiring the attendance of such witness, and that no sufficient cause prevented his or her attendance in obedience to such subpœna; such penalties to be levied, collected, appropriated and applied in all respects agreeably to the provision of an Act of General Assembly made and passed in the fourth year of the Reign of His late Majesty King William the Fourth, intituled “An Act to facilitate summary proceedings before Justices of the Peace, and the execution of warrants by Constables.”

III. And be it enacted, That this Act shall be in force so long as the Acts to which it is an amendment.

SCHEDULE.

Subpœna to be issued by the Justice before whom the cause is pending.

Form of subpœna.

To A. B. C. You and every of you are required to appear before me
 , at my in the Parish of , on the
 day of , at the hour of in the noon, to give evidence on
 the

the part of our Sovereign Lady the Queen against for the alleged
breach of and then and there to be tried; and take notice that in
case you or either of you neglect to appear and testify, you will be liable to a
penalty of not exceeding forty shillings, according to the form of the Act of
Assembly lately made and provided. Dated the day of 18 .

N. M., J. P.

Anno Primo VICTORIÆ Reginae.

CAP. XLII.

An Act to amend the Laws relating to the solemnizing of Marriage.

Passed 9th March 1838.

6 **W**HEREAS it is expedient to amend the Laws relating to the solemnizing of Marriage in the following manner :

I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That any ordained person, Minister or Teacher, duly authorized or licenced to solemnize Marriage either under an Act past in the thirty first year of the Reign of King George the Third, intituled "An Act for regulating Marriage and Divorce, and for preventing and punishing Incest, Adultery and Fornication," or under an Act passed in the fourth year of the Reign of King William the Fourth, intituled "An Act to extend the privilege of solemnizing Marriage to all Ministers or Teachers of the several Religious Congregations in this Province," may solemnize marriage between any persons, whether or not such persons be of the communion or denomination of the ordained person, Minister or Teacher solemnizing the marriage, any thing in either of the said recited Acts to the contrary notwithstanding, subject nevertheless, in all other respects to the respective regulations and provisions of the said recited Acts.

Any ordained person duly authorized under the Act 31 G. 3, c. 5, or 4 W. 4, c. 46, may solemnize Marriage, whether or not the persons be of the same communion or denomination with the person solemnizing.

II. And be it enacted, That this Act shall not come into operation until Her Majesty's Royal approbation be thereunto first had and declared.

Act suspended till Her Majesty's approbation be had.

[*This Act was specially confirmed, ratified, and finally enacted by an order of the Queen in Council, dated the 5th day of November, 1838, and published and declared in the Province on the 9th day of January, 1839.*]

ACTS
OF
THE GENERAL ASSEMBLY
OF
HER MAJESTY'S PROVINCE
OF
NEW BRUNSWICK,
PASSED IN THE SECOND SESSION OF THE LEGISLATURE
IN THE YEAR
1839.



FREDERICTON:

PRINTED BY JOHN SIMPSON, PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY.

MDCCCXXXIX.

Anno Regni VICTORIÆ Britanniarum Reginae Tertio.

AT the General Assembly of the Province of New Brunswick begun and holden at Fredericton, on the Twenty eighth Day of December, *Anno Domini* One thousand eight hundred and thirty seven, in the First year of the Reign of our Sovereign Lady Victoria, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, and from thence continued by several Prorogations to the Tenth Day of September one thousand eight hundred and thirty nine; being the third Session of the Twelfth General Assembly convened in the said Province.

THE
ACTS
OF
THE GENERAL ASSEMBLY, &c.

CAP. I.

An Act for the more effectual prevention of Fires in the City of Saint John.

Passed 20th September 1839.

I. **B**E it enacted by the Lieutenant Governor, Legislative Council and Assembly, That all dwelling houses, store houses and other buildings, excepting as hereinafter excepted, which from and after the passing of this Act shall be built, erected or set up in the City of Saint John, within the limits hereinafter mentioned and described (that is to say,) Beginning at the southern extremity of Prince William Street, where it intersects the northern line of Saint James' Street, thence along Prince William Street to Princess Street, thence along Princess Street to Germain Street, thence along Germain Street to Union Street, thence along Union Street to George Street, thence along George Street to Pond Street, thence along Pond Street to Mill Street, thence along Mill Street northwardly to the entrance of Smyth Street, thence along Smyth Street to Nelson Street, thence along Nelson Street, crossing the Market Slip, to Ward Street, thence along the said last mentioned Street and a prolongation of the western line thereof southwardly until it strikes the southern line of the Ferry Slip at the foot of Princess Street, thence along the said last mentioned line to Saint John Street, thence along Saint John Street and a prolongation of the western line thereof southwardly until it intersects the prolongation of the northern line of Saint James' Street, and thence along the said last mentioned prolongation to the place of beginning, and also in and upon all the lots of ground adjoining thereto to the depth of forty feet on the eastern side of Prince William Street, Germain Street, George Street and Mill Street, the south side of Princess Street, the north sides of Union Street and Pond Street, two hundred feet on the western side of Smyth Street, not less than thirty feet on the western sides of Nelson Street and Ward Street, and one hundred feet on the western side of Saint John Street, terminating at the foot of Duke Street, shall be made and constructed of Stone or Brick or other noncombustible material, with party or fire walls rising at least twelve inches above the roof; and the roof of every such dwelling house, store house or other building shall be covered on the outside with tile or slate, or other safe materials
against

Certain buildings within specified limits required to be constructed of Stone, Brick or other non combustible materials.

Exception in favor of buildings not exceeding fifteen feet in height, and Steeples, &c., of public buildings.

Restrictions as to wooden buildings on the eastern side of the Harbour to the westward of limits before specified.

Proviso for brick party walls and flat roofs in certain cases.

First builder empowered to erect the party wall; one half on the adjoining property.

To be reimbursed one half of the expence.

Restrictions as to enlarging, or removing from one place to another, wooden buildings at present within the fire limits.

against fire, and not with boards or shingles; provided that this Act shall not be construed to extend to buildings or erections not exceeding fifteen feet in height from the ground, or level to be determined on by the City authorities, to the peak or highest part of such buildings or erections: Provided also, that all steeples, cupolas and spires of public buildings, where such building shall stand at least ten feet from any and every other building, may be covered with boards or shingles.

II. And be it enacted, That from and after the passing of this Act, no wooden building, store house, or other erection of what nature or kind soever, shall be built, erected, or set up on the eastern side of the Harbour of the said City to the westward of the limits and lots of ground adjoining thereto hereinbefore mentioned or described, of a greater height than thirty feet from the bottom of the sill to the highest point of the roof, the bottom of the sills to be elevated not more than eighteen inches above the level of the street or wharf whereon the said building, store house or erection may stand, or above the point where such level may be determined on by the said City authorities; the posts to be not more than twenty feet, the roof to be covered with slate or other noncombustible material, to be of a regular pitch from the eaves to the ridge, with a straight rafter, and to have at least one scuttle in the same: Provided also, that between every two such wooden buildings, store houses or erections, the sites whereof shall be vacant at the time of the passing of this Act, or may hereafter become vacant, there shall be a partition wall of brick at least eight inches in thickness, to extend not less than twelve inches above the roof: Provided also that nothing herein contained shall be construed to prevent the owner or owners of any wooden building authorized by this Section of this Act, whereof the side line or depth from the front of the building on the street exceeds thirty five feet, to make a portion of the roof flat on the top, according to the following scale: Buildings whereof such side line or depth exceeds thirty five feet and does not exceed forty feet, the width of such flat shall not exceed five feet; buildings whereof such side line or depth exceeds forty feet and does not exceed forty five feet, the width of such flat shall not exceed eight feet; buildings whereof such side line or depth exceeds forty five feet and does not exceed fifty feet, the width of such flat shall not exceed twelve feet; buildings whereof such side line or depth exceeds fifty feet the width of such flat shall not exceed fifteen feet.

III. And be it further enacted, That one half of every such party wall between house and house, or between other buildings, shall be built on the ground or site of one of the adjoining houses or buildings, and the other half thereof shall be built on the ground or site of the adjoining houses or buildings; and it shall and may be lawful for the first builder of any such party wall, and for the workmen employed in building the same, to enter upon the ground adjoining thereto, in order to the building such party wall in the manner aforesaid.

IV. And be it further enacted, That the person or persons at whose expence any party wall shall be built agreeably to the directions of this Act, shall be reimbursed one half of the expence incurred in such party wall, by the owner or owners of the adjoining property who shall make use of the said wall, and such moiety or half part of the expence incurred in erecting such party wall may be recovered, together with full costs of suit, by action of debt or assumpsit, in any of Her Majesty's Courts of Record in this Province.

V. And be it further enacted, That no dwelling house, store house or other buildings of wood, at present standing or being within the fire limits described in this Act, shall hereafter be raised, enlarged or built upon, nor shall any wooden building exceeding the height mentioned in the proviso contained in the first

Section

Section of this Act, be hereafter removed from one lot or place to any other lot or place within such fire limits as the same are by this Act established, or may hereafter be extended.

VI. And be it further enacted, That if any wooder buildings which have been or shall be erected since the seventeenth day of August last in such part of the before described limits contained in the first section of this Act, as may be situate or lie in that part of the said City called King's Ward to the southward of Union Street, and which shall be contrary to the provisions of this Act, shall and may be removed and taken down, or reduced to the height prescribed for wooden buildings as is provided for in and by the said first section, by order of the Mayor, Aldermen and Commonalty of the said City in Common Council convened; the value of such building or buildings so to be taken down or reduced, being first ascertained by the appraisement of three disinterested persons, one of whom to be named by the said Common Council, one by the party or parties owning such building or buildings, and the remaining one to be nominated and chosen by the two persons so appointed by the said Common Council and owner or owners respectively, the decision of whom or any two of whom shall be final and conclusive; and the amount of any such valuation or appraisement shall be paid to the said owner or owners accordingly by the said Mayor, Aldermen and Commonalty, within thirty days after being furnished with the award or awards containing such appraisement or appraisements: Provided always, that in case of the owner or owners of any wooden building refusing to name a person to make such appraisement after being required by the Common Council so to do, for the space of six days, it shall and may be lawful for the said Common Council to name the second person, and the two persons so named by the said Common Council to choose the third: And provided also, that in the said valuation no consideration shall be taken for any improvements made after the passing of this Act.

Wooden buildings erected within the limits specified in the first section since 17th August, contrary to this Act, may be removed &c., the value being first ascertained by appraisement.

VII. And be it further enacted, That it shall and may be lawful for the said Mayor, Aldermen and Commonalty of the said City of Saint John, in Common Council convened, to order an assessment upon that part of the said City which lies on the eastern side of the Harbour, for the purpose of paying the value of the said Buildings and expences of taking down, removing or reducing the same, the said sums to be assessed, levied and collected in the same manner as any other rates for public charges.

Corporation may assess the part of the City on the eastern side of the Harbour for the expenses.

VIII. And be it further enacted, That from and after the passing of this Act, if any dwelling house, store house or other building whatsoever, shall be built, erected, raised, enlarged, removed or roofed contrary to any of the provisions of this Act, the proprietor or proprietors thereof shall for every such offence forfeit and pay the sum of five hundred pounds: and every builder or other person who shall build, erect, raise, enlarge, remove or roof, or assist in building, erecting, raising, enlarging, removing or roofing such dwelling house, store house or other building, shall for every such offence forfeit and pay the sum of two hundred and fifty pounds, to be recovered with costs of suit in any Court of Record within this Province by the Treasurer or Chamberlain of the said City of Saint John, for the use of the poor thereof, and when recovered shall be appropriated in the same manner as the monies raised by tax for the maintenance of the poor of the said City are by Law directed to be applied.

Penalties for putting up Buildings contrary to this Act.

Recovery.

Application.

IX. And be it further enacted, That any such dwelling house, store house or other building, which after the passing of this Act shall be built, erected, raised, enlarged, removed or roofed within the limits and the lots of ground adjoining thereto, herein before described, contrary to the provisions of this Act, shall be deemed, and the same is hereby declared to be a common nuisance.

Such buildings to be deemed common nuisances.

X.

Streets mentioned
to be deemed the
Streets as now laid
out.

X. And be it further enacted, That the several Streets mentioned in this Act shall be taken and deemed to mean the same respectively as at present laid out, without reference to any intended alterations in the lines or courses of the same.

CAP. II.

An Act to authorize the widening and enlarging of certain Streets in the City of Saint John, and of laying out other Streets therein.

Passed 20th September 1839.

Preamble.

WHEREAS by the late disastrous Fire in the City of Saint John, all the buildings and erections, with a few exceptions, within that district, which is bounded eastwardly by Prince William Street, southerly by the Market Place and Slip, westwardly by the Harbour of Saint John, and northerly by Union Street, were destroyed; and it is advisable to widen and enlarge the following Streets in the said District, that is to say, Dock Street and Nelson Street, and also to open and lay out a new Street in the said district in continuation of Smyth Street southwardly, until it meets the North Market Wharf;

Governor with the
advice of Council
to appoint Com-
missioners for the
purposes of this
Act.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That it shall and may be lawful to and for the Lieutenant Governor or Commander in Chief for the time being, by and with the advice of Her Majesty's Executive Council, to nominate and appoint, and also to reappoint and supply as it may be necessary or expedient, three or more discreet and disinterested persons Commissioners for the purpose of performing the duties hereinafter in that behalf prescribed; which said Commissioners, before they enter on the performance of the duties of their appointment, shall severally take and subscribe an oath or affirmation before any Justice of the Peace in and for the City and County of Saint John, faithfully to perform the trust and duties required of them by this Act.

To be sworn.

Commissioners to
have the District
surveyed, and de-
cide as to the meth-
od of widening
and extending the
Streets, &c.

II. And be it enacted, That it shall be the duty of such Commissioners forthwith to enter on the duties of their appointments and cause a survey and plan of the said district to be made and prepared, and to fix and decide upon the best mode and method of widening, extending, altering, straightening and enlarging Dock Street and Nelson Street aforesaid, and also of laying out and opening the said new Street in continuation of Smyth Street southwardly until it meets the North Market Wharf, and for that purpose the said Commissioners shall have full power and authority to enter in and upon the lands and tenements in the said district, and to determine and decide where and in what manner such Streets respectively are to be widened, extended, altered, straightened, enlarged, opened and laid out.

To make an esti-
mate of the value
of lands &c., re-
quired for widen-
ing the Streets and
assess three fourth
parts on all parties
interested in lands
&c., within the
district and there-
upon file the plan
and report their
proceedings to the
Common Council.

III. And be it enacted, That the said Commissioners so soon as they shall have caused such survey and plan to be made, and shall have decided where and in what manner such Streets respectively are to be widened, extended, altered, straightened, enlarged, opened and laid out, shall proceed to make a just and equitable estimate and assessment of the value of the lands, tenements and hereditaments required for widening, extending, altering, straightening, enlarging, opening and laying out such Streets respectively, and shall assess and apportion three fourth parts of the amount of such estimated value on all the parties interested in any lands, tenements and hereditaments within the said district, including the parties interested in such lands, tenements and hereditaments required

for

for the purposes of such Streets respectively, according to their best discretion, in proportion to the benefit accruing to such parties respectively from the improvement of the said Streets, and shall thereupon file the said plan with the Common Clerk of the said City, as and for a record of their doings in that respect, and shall forthwith report their proceedings and all matters and things connected with their duties as such Commissioners to the Common Council of the said City: and in the said report the Commissioners who shall make the same shall set forth the names of the respective owners, lessees, parties and persons entitled unto or interested in such lands, tenements, hereditaments and premises mentioned in the said report, and each and every part and parcel thereof as far forth as the same shall be ascertained by them, and an apt and sufficient designation or description of the respective lots or parcels of land and other tenements, hereditaments and premises that may be required for the purpose of widening, extending, altering, straightening, enlarging or laying out such Streets respectively, and also of the said respective lots or parcels of land and other tenements, hereditaments and premises within the said District so assessed by the said Commissioners for the said benefit as aforesaid, and also the several and respective sums estimated and assessed as and for the compensation and recompense, or the allowance to be made for the value of the land and other tenements, hereditaments and premises so taken for the purposes aforesaid, as also the sums assessed upon the same for the benefit and advantage of the respective owners of the fee or inheritance of such lands, tenements, hereditaments and premises respectively, or for the compensation or damage and for the assessment for the benefit of the respective owners of the leasehold estate or other interests therein, separately; but in all and each and every case and cases where the owners and parties interested, or their respective estates and interests are unknown or not fully known to the said Commissioners, it shall be sufficient for them to estimate and assess and to set forth in their said report, in general terms, the respective sums to be allowed and paid to or by the owners or proprietors generally of such lands, tenements, hereditaments and premises and parties interested therein for the compensation and damage, and for the assessment for the benefit and advantage to such owners, proprietors and parties interested in respect of the whole estate and interest of whomsoever may be entitled unto or interested in the said lands, tenements, hereditaments and premises respectively, by and in consequence of the widening, enlarging, extending, altering straightening, opening and laying out such Streets respectively, without specifying the names or the estates or interests of such owners, proprietors and parties interested, or of any or either of them; And upon the coming in and filing of such report, the same shall be final and conclusive, as well upon the Mayor, Aldermen and Commonalty of the City of Saint John, as upon the owners, lessees, parties or persons interested in and entitled unto the lands, tenements, hereditaments and premises mentioned in the said report; And the said Mayor, Aldermen and Commonalty shall become possessed of all the said lands, tenements, hereditaments and premises in the said report mentioned, that shall or may be so required for the purpose of widening, extending, altering, straightening, enlarging, opening and laying out such Streets, the same to be appropriated, converted and used to and for such said purposes accordingly, and for none other whatsoever; And thereupon the said Mayor, Aldermen and Commonalty, or any person or persons acting under their authority, may immediately or at any time or times thereafter take possession of the same, or any part or parts thereof, without any suit or proceeding at Law for that purpose, and may at any time thereafter take down and remove all buildings or parts of buildings, erections or improvements of any description

Names of parties interested and description of lands required for Streets to be set forth in the report.

The like as to adjacent land included in the assessment.

Report how to be made when the parties interested or their estates are unknown.

Report to be conclusive on its being filed, and Corporation to become possessed of all lands &c. required for the use of the Streets.

Commissioners to make no allowance for buildings erected after the passing of this Act.

whatsoever on the said lands, tenements, hereditaments and premises; Provided, that it shall not be lawful for the said Commissioners to allow any sum or compensation whatsoever for any building or buildings which may, after the passing of this Act, be built, placed or erected in part or in the whole, on such part or parts of the said lands, tenements, hereditaments and premises that may be required for the widening, extending, altering, straightening, enlarging and laying out such Streets respectively.

Commissioners to deposit a copy of their estimate and assessment in the Clerk's Office 14 days before making their report and give notice in two newspapers.

IV. And be it enacted, That the said Commissioners after completing their said estimate and assessment and at least fourteen days before they make their report to the Common Council, shall deposit a true copy or transcript of such estimate and assessment in the Clerk's office of the said City, for the inspection of whomsoever it may concern, and shall give notice by advertisement, to be published in at least two of the public newspapers printed in the said City, of the said deposit thereof in the said office, and of the day on which it will be finally filed as and for a record of their proceedings; and any person or persons whose rights may be affected thereby, and who shall object to the same or any part thereof, may within ten days after the first publication of the said notice, state his, her or their objections to the same, in writing, to the said Commissioners; and the said Commissioners or such of them as shall have made such estimate and assessment, in case any objections shall be made to the same, and stated in writing as aforesaid, shall reconsider their said estimate and assessment, or the part or parts thereof so objected to, and in case the same shall appear to them to require correction, but not otherwise, they shall and may correct the same accordingly.

Any person affected may object.

Assessment may be amended.

Damages awarded when to be paid by the Corporation.

V. And be it enacted, That the said Mayor, Aldermen and Commonalty shall within six Calendar months after the filing of the said report of the Commissioners in the premises, pay to the respective persons and parties mentioned or referred to in the said report, in whose favor any sum or sums of money shall be estimated and reported by the said Commissioners, the respective sum or sums so estimated and reported in their favor respectively, deducting in each case any sum or sums that such parties respectively, may in the said report and assessment of the Commissioners be declared liable to pay by reason of the benefit to them respectively accruing from the improvement of such Streets; and in case of neglect or default in payment of the same, within the time aforesaid, the respective person or persons, party or parties, in whose favor the same shall be so reported, his, her, or their Executors or Administrators at any time or times after application first made by him, her or them to the said Mayor, Aldermen and Commonalty in Common Council convened for payment thereof, may sue for and recover the same with lawful interest, from and after the said application therefor, and the costs of suit, in an action of debt or assumpsit against the said Mayor, Aldermen and Commonalty in any Court having cognizance thereof, and in which it shall be sufficient to declare generally for so much money due to the Plaintiff or Plaintiffs therein by virtue of this Act for premises taken for the purpose herein mentioned, and it shall be lawful for the Plaintiff or Plaintiffs to give any special matter in evidence under such general declaration, and this Act, and the report of the said Commissioners, with proof of the right and title of the Plaintiff or Plaintiffs to the sum or sums demanded shall be conclusive evidence in such suit or action: Provided, that whenever the owners and proprietors of any such lands, tenements, hereditaments and premises so to be taken for any of the purposes aforesaid, or the party or parties, person or persons interested therein, or any or either of them, the said owners, proprietors, parties or persons in whose favor any such sum or sums, or compensation shall be so reported, shall be under the

In case of neglect of payment parties entitled may sue for the same.

If parties entitled be infants, non compos mentis, feme covert, or absent or unknown, money to be paid into the Court of Chancery.

age of twenty one years, *non compos mentis*, *feme covert*, or absent from the said City of Saint John, and also in all cases where the name or names of the owner or owners, parties or persons entitled unto or interested in any lands, tenements, hereditaments or premises that may be so taken for any of the purposes aforesaid, shall not be set forth or mentioned in the said report, or where the said owners, parties or persons respectively being named therein, cannot upon diligent inquiry be found, it shall be lawful for the said Mayor, Aldermen and Commonalty to pay the sum or sums mentioned in the said report payable, or that would be coming to such owners, proprietors, parties or persons respectively, into the Court of Chancery in this Province, to be secured, disposed of and improved as the said Court shall direct, and such payment shall be as valid and effectual in all respects as if made to the said owners, proprietors, parties and persons respectively, themselves, according to their just rights, if they had been known and had all been present, of full age, *discover* and *compos mentis*; And provided also, that in all and every case and cases where any such sum or sums or compensation so to be reported by the said Commissioners in favor of any person or persons, or party or parties whatsoever, whether named or not named in the said report, shall be paid to any person or persons, or party or parties whomsoever, when the same shall of right belong and ought to have been paid to some other person or persons, party or parties, it shall be lawful for the person or persons, party or parties to whom the same ought to have been paid, to sue for and recover the same with lawful interest and costs of suit, as so much money had and received to his, her or their use by the person or persons, party or parties respectively, to whom the same shall have been so paid.

Compensation due to one person but received by another may be recovered by the former from the latter.

VI. And be it enacted, That the respective sums or assessments so to be assessed and reported by the said Commissioners, as and for the allowance to be made by the parties and persons respectively in the said reports mentioned as owners and proprietors of, or parties interested in, lands and premises deemed to be benefitted by the widening, extending, altering, straightening, enlarging, opening and laying out of the said respective Streets mentioned in the said report, shall be borne, reimbursed and paid to the said Mayor, Aldermen and Commonalty by the said parties and persons respectively, and the remainder of all the monies which the said Mayor, Aldermen and Commonalty shall pay, disburse and expend, or become liable or bound to pay, disburse or expend in discharge or on account of the sums or estimates of compensation and recompence that may be reported by the Commissioners in favor of the respective persons and parties deemed to be entitled thereto, and also all expences, disbursements and charges which may arise, or be incurred under the provisions of this Act, shall and may be assessed upon that part of the said City of Saint John which lies on the eastern side of the Harbour, excluding from this assessment the lands, tenements and hereditaments within the District hereinbefore described, which may have been already assessed in the report of the said Commissioners; and the said Mayor, Aldermen and Commonalty, in Common Council convened, are hereby authorized and required to order and direct the said residue and remainder of the said monies, and the expences hereinbefore mentioned, together with the charges of assessing, levying and collecting the same, to be assessed, levied, collected and paid in such proportions, and in the same manner, as any rates for public charges are or may be assessed, levied, collected and paid under and by virtue of any Act or Acts of Assembly, made or to be made, for assessing, levying and collecting rates for public charges.

Assessment on property benefitted to be paid to the Corporation and remainder of monies which the Corporation may become liable to pay and all expences to be assessed upon that part of the City on the eastern side of the Harbour, exclusive of the District assessed by the Commissioners.

VII. And be it enacted, That the several and respective sums or assessments hereinbefore

Assessment on property benefitted directed to be

paid to the City Corporation to be a charge on the Lands, &c.

Proceedings for recovery on default of payment.

Money paid by one person which was payable by another may be recovered by the former from the latter.

Three Commissioners may act and their doings to be as valid as if all the Commissioners had concurred therein.

hereinbefore directed to be reimbursed to the said Mayor, Aldermen and Commonalty shall be a lien or charge on the lands, tenements, hereditaments and premises in the said report of the Commissioners mentioned, or upon the estate and interest of the respective owners, lessees and parties in such said lands, tenements, hereditaments and premises, for or on account of which the said respective sums shall be so assessed by the said Commissioners, upon the said respective owners and proprietors thereof or parties interested therein, and as well the said owners and proprietors thereof and parties interested therein, and also the occupants of each and every of them shall moreover be respectively liable to pay on demand the respective sum or sums mentioned in the said report of the Commissioners, at which the respective lands, tenements, hereditaments and premises so owned or occupied by him, her or them, or wherein he, she or they are so interested, or at which the owners and proprietors thereof shall be so assessed, to such person or persons as the said Mayor, Aldermen and Commonalty shall appoint to receive the same; and in default of payment of the same or any part thereof, it shall be lawful for the said Mayor, or the Recorder of the said City, and any three of the Aldermen or Assistant Aldermen of the same City, by warrant under their hands and seals, to levy the same with lawful interest thereon, from and after thirty days from the time of the filing of the said report of the Commissioners, together also with the charges and expences to be had for the collection thereof, by distress and sale of the goods and chattels of such owner and owners, occupant or occupants, or party or parties interested so refusing or neglecting to pay the same, rendering the overplus (if any overplus there shall be) after deducting all just charges, to such owner or owners, occupant or occupants, or party or parties interested, or the said respective sums with lawful interest as aforesaid, may be recovered with all costs and charges by the said Mayor, Aldermen and Commonalty, from and against the owner or owners of the respective lands, tenements, hereditaments and premises whereon or in respect of which the same may be assessed or set forth in the said report of the Commissioners, or from or against either or any of them the said parties or owners, without joining any other or others of them the said parties or owners therein, by action of debt or assumpsit, in which it shall be sufficient to declare generally for so much money due by virtue of this Act to the said Mayor, Aldermen and Commonalty, and every matter may be given in evidence under such general declaration: Provided that nothing herein contained shall affect any agreement between landlord and tenant or any other contracting parties respecting the payment of any such assessment or charges, but they shall be answerable to each other in the same manner as if the provisions in this Act contained concerning the same had never been made: And if any money so to be assessed, be paid by, or collected or recovered from any person or persons, when by agreement or by law the same ought to have been borne and paid by some other person or persons, it shall be lawful for the person or persons paying the same or from whom the same shall be recovered, by distress, suit or otherwise, to sue for and recover the money so paid by or recovered from him or them, with interest and costs, as so much money paid for the use of the person or persons who ought to have paid the same, and the said report of the Commissioners with proof of payment, shall be conclusive evidence in the suit.

VIII. And be it enacted, That it shall be competent and lawful for any three of such said Commissioners, so to be appointed, to proceed to and execute and perform the trusts and duties of their said appointment, and their acts shall be as valid and effectual as the acts of all the said Commissioners so to be appointed for

for such said purpose if they had acted therein would have been, and further that in all cases the acts, decisions and proceedings of the major part of such of the Commissioners to be appointed for the purposes aforesaid as shall be acting in the premises, shall always be as binding, valid and effectual as if the said Commissioners named and appointed for such purpose, had all concurred and joined therein.

IX. And be it enacted, That if the owner or owners, lessees, parties and persons interested in the water lots lying to the westward of Nelson and Smyth Streets, between the south line of Union Street and the north line of lots leased by the Corporation, fronting on the North Market Wharf, shall be permitted by the Mayor, Aldermen and Commonalty of the City of Saint John to extend their wharves and erections into the barbour, then, and in such case the said Commissioners shall be at liberty to take such extension into consideration in their assessment for loss and damages arising from the opening and extending of Smyth Street to the North Market Wharf as aforesaid.

If certain Wharves &c. be allowed to be extended into the Harbour, Commissioners to take the extension into consideration in their assessment.

X. And be it enacted, That the Commissioners to be appointed under and by virtue of this Act, who shall enter upon the duties of their appointment, shall each be entitled to receive such sum for each day they shall respectively be actually employed in the duties of their appointment, as the said Mayor, Aldermen and Commonalty in Common Council shall name, to be paid by the said Mayor, Aldermen and Commonalty, and included in the before mentioned sums of money, and considered as part of the disbursement and expenses incurred by virtue of this Act, besides all reasonable expenses for maps, surveys and plans, clerk hire and other necessary expenses and disbursements.

Compensation to Commissioners.

CAP. III.

An Act to authorise the issue of Treasury Debentures to raise money for the purpose of being loaned for the re-building a part of the District of the City of Saint John, burnt in the month of August in this present year.

Passed 20th September 1839.

6 WHEREAS owing to the extent of a late disastrous conflagration in the City of Saint John, and other causes arising therefrom, the expense of building Fire Proof Buildings within the District thereby destroyed is greater than several of the owners of the land can afford, while the value of the situation is such as to insure the re-payment of money advanced thereupon: And whereas it is deemed expedient to encourage the erection of such buildings thereon;

Preamble.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That there be and is hereby granted to the Lieutenant Governor or Commander in Chief for the time being, a sum not exceeding twenty thousand pounds, to be raised as hereinafter mentioned and loaned on good securities to such of the owners in fee or lessees in perpetuity of the several lots of land situate within that portion of the City of Saint John destroyed by fire on the night of the seventeenth of August in the present year, who may require a loan and make application for any part thereof, under the regulations and according to the provisions hereinafter enacted.

£20,000 granted to be loaned to the Owners in fee or lessees in perpetuity of Lands burnt over on 17th August last.

II. And be it further enacted, That it shall and may be lawful for the Lieutenant Governor or Commander in Chief for the time being, by and with the advice of Her Majesty's Executive Council, to appoint five Commissioners to whom all applications for loans under this Act shall be made; that every such application

Five Commissioners to whom applications for loans are to be made to be appointed.

Applications to be
in writing.

Duty of Commis-
sioners in respect
thereof.

Commissioners to
require security for
repayment and
erection of Fire
proof buildings,
&c.

No loan to exceed
£1000 nor be for
more than two
thirds of the value
of the lands.

On receipt of the
application with
certificate of the
Commissioners,
Governor may
draw on the Treas-
ury.

Security to be ta-
ken in the name of
Her Majesty for
double the amount
loaned.

Certificate of secu-
rity to be registered
in the County re-
gister.

Applicants for
loans to pay all ex-
penses.

Treasurer to col-
lect the interest
annually.

application shall be in writing, with the name of the party making the same affixed thereto, and shall contain a description of the property, its situation and extent, what incumbrances (if any) are upon the same, and what species of building the applicant or applicants intends or intend erecting thereupon; that it shall be the duty of the said Commissioners to examine the same minutely, to search the Records of the said City and County, and to deliver to the party making such application a statement in writing, signed by at least three of the Commissioners, setting forth the value of the said property, its incumbrances (if any) and what sum it would be safe to advance upon the security thereof.

III. And be it further enacted, That it shall be the duty of such Commissioners at the time of giving such statement, to require from the said applicant or applicants security for the re-payment of the sum mentioned in such statement by Bond, and also a further Bond from the said applicant or applicants, with one good and sufficient surety in the penal sum of twice the amount applied for, (as the case may be,) that such applicant or applicants, his or their assigns shall erect and build upon the said ground a Fire Proof Building or Buildings of Brick, Stone or other non-combustible materials.

IV. And be it further enacted, That no loan shall be made to any applicant exceeding the sum of one thousand pounds: Provided that no such loan shall be for a sum greater than two thirds of the estimated value of the land upon which the said loan is made.

V. And be it further enacted, That it shall and may be lawful for the Lieutenant Governor or Commander in Chief for the time being, by and with the advice of Her Majesty's Executive Council upon receiving such application, with the statement of the said Commissioners attached thereto, and a certificate signed by the said Commissioners or any three of them, that security for re-payment of the sum mentioned in such statement has been given by Bond, duly executed, and also that a Bond with a surety for building as hereinbefore provided has been duly executed, to issue his warrant to the Treasurer of the Province to pay to the said applicant or applicants the sum mentioned in such statement out of the monies raised in manner hereinafter provided.

VI. And be it further enacted, That the Bonds and all other securities so to be taken by the said Commissioners as aforesaid, shall be taken to Her Majesty, Her Heirs and Successors, in double the amount of the sum loaned, conditioned for the payment of the said sum, with interest payable annually to the Treasurer of the Province or to the Treasurer for the time being, at his office, in Saint John; and it shall be the duty of the Treasurer of the Province or the Treasurer for the time being, to receive the said Bonds or other securities and keep the same safely and securely, and that a certificate of such Bonds, stating the amount thereof, the parties and names shall be registered in the office of the Register of Deeds for the City and County of Saint John.

VII. And be it further enacted, That the costs, charges and expenses of examining the property, its situation and extent, and the incumbrances (if any) affecting the same, and also the costs and charges of searching the Records, and making and delivering the statement by the Commissioners as directed in and by the second section of this Act, and all other costs, charges and expenses attending the loan, shall be defrayed by the parties applicants respectively, and the said Commissioners shall not be required to act in the premises until such expenses, costs and charges shall be paid or secured to their satisfaction.

VIII. And be it further enacted, That it shall be the duty of the said Treasurer or the Treasurer for the time being, annually to collect the interest due upon the said

said Bonds, and to account for the same as for other public monies coming into his hand.

IX. And be it further enacted, That it shall be lawful for the Lieutenant Governor or Commander in Chief for the time being, by and with the advice of Her Majesty's Executive Council, at any time after the expiration of six years from the date of the said Bonds, to direct the said Treasurer or the Treasurer of the Province for the time being, to call in and enforce the payment of the principal and interest due upon the said Bonds, twelve months notice of such requisition having been first given in writing by the said Treasurer or the Treasurer of the Province for the time being to the respective obligors.

Payment of principal and interest may be enforced after the expiration of six years.

X. And be it further enacted, That in order to raise the money hereinbefore mentioned, it shall be the duty of the Treasurer of the Province for the time being, to prepare, make and issue, or cause to be prepared, made and issued, Treasury Debentures, not exceeding in the whole twenty thousand pounds currency, in the manner and form hereinafter mentioned, payable at the expiration of eight years after the date of the same, with interest, payable annually, not exceeding the rate of six per cent. per annum, and that the said Debentures shall be numbered according to their classes in numerical progression, beginning with each class with number one.

Treasurer to issue Treasury Debentures to raise the money to be loaned.

XI. And be it further enacted, That the said Treasury Debentures so to be issued in pursuance of this Act, shall be issued as follows, to wit:—

Number, class and amount of Debentures.

Class A. One hundred Debentures of one hundred pounds each;

Class B. Twenty Debentures of two hundred and fifty pounds each;

Class C. Ten Debentures of five hundred pounds each.

XII. And be it further enacted, That the said Debentures shall be issued when and so often as the sum of five thousand pounds may be required for the purposes before mentioned, by the said Treasurer, upon giving thirty days notice in the Royal Gazette, and some of the public newspapers published in the City of Saint John, and two of the public newspapers published at Halifax, in the Province of Nova Scotia, and the said Treasurer shall insert in the said Debentures the day of the month from which interest is to be calculated.

Debentures to be issued so often as the sum of £5000 may be required.

XIII. And be it further enacted, That all the monies to be received for the said Debentures, by virtue of this Act, shall be paid into the Treasury and appropriated for the payment of Warrants on the Treasury for the monies granted for loans under the provisions of this Act.

Monies received for Debentures to be paid into the Treasury.

XIV. And be it further enacted, That all Treasury Debentures, issued by virtue of this Act, and all interest accruing or becoming due thereon, or which shall become payable in respect of the said sum of twenty thousand pounds shall be and are hereby made chargeable upon the Treasury of this Province, and repaid out of any monies which may be in the same or which shall come into the same after the said Debentures or any interest thereon shall respectively become due and payable.

Debentures made chargeable upon the Treasury.

XV. And be it further enacted, That the interest upon the said Treasury Debentures shall be paid annually by the said Treasurer out of any monies in the Treasury, upon the production of the said Debentures at the Treasurer's Office, and the interest thereon paid being indorsed thereupon, and a receipt of the same referring to the said Debenture left with the Treasurer as a voucher for the payment of the same.

Interest to be paid annually.

XVI. And be it further enacted, That the said Province Treasurer for the time being, shall after the said Debentures have been issued and amount paid into the Treasury for the same, make a return to the Lieutenant Governor or Commander

Return of Debentures issued to be laid before the General Assembly.

Commander in Chief, of the amount of Debentures issued in pursuance of this Act, to be laid before the General Assembly at their next Session.

Debentures paid off to be cancelled, and return thereof to be laid before the House of Assembly.

XVII. And be it further enacted, That all Treasury Debentures, which from time to time shall be discharged and paid off, shall be cancelled and made void, by the party holding the same receipting the said Debenture, by stating the amount of principal and interest received on the same, and writing his or their name or names thereupon, in words at length; and that after the said Debentures shall be so paid off, the said Treasurer, or the Treasurer for the time being, shall, as soon after as may be, make a return to the Lieutenant Governor or Commander in Chief, of the Debentures so paid off, for the purpose of being laid before the House of Assembly at their next Session, and that after the accounts of the payment of the said Debentures shall be audited and allowed by the General Assembly, they shall be burnt or destroyed as being of no further use to the public service.

Counterfeiting Debentures to be deemed forgery.

XVIII. And be it further enacted, That if any person or persons whomsoever shall forge, counterfeit or alter any of the said Treasury Debentures issued by virtue of this Act, and shall be found guilty thereof, he, she or they shall be deemed guilty of forgery and liable to all the pains and penalties for the same.

Form of Debentures.

SCHEDULE A.

Class.

Number.

Treasury Department,
Province of New Brunswick.

Form of Debenture.

‘Whereas by virtue of an Act of the General Assembly of the third year of the Reign of Queen Victoria, Cap. intituled “An Act to authorise the issue of Treasury Debentures to raise money for the purpose of being loaned for the rebuilding a part of the District of the City of Saint John, burnt in the month of August in this present year,” of *(here insert Parish, County and Province, as the case may be,)* having paid into the Treasury for the use of the Province, the sum of pounds:—

Now therefore this Debenture is chargeable on the monies which may be in the Treasury of the said Province, or which may be paid into the same on or after the day of which shall be in the year of our Lord one thousand eight hundred and forty for the said sum of together with interest which may be due thereon, at and after the rate of per cent; the said interest to be paid annually, agreeably to the provisions of the said Act; the said principal and interest or either of them to be paid to the said or to such person or persons as he *(or she)* shall authorise to receive the same.

Given under my hand this day of in the year of our Lord one thousand eight hundred and

Debenture £
Annual interest £

Province Treasurer.

Form of Transfer.

Form of Transfer.

I, *(the person named in the within Debenture)* do hereby authorise , or such person as he shall appoint, to receive the amount of the within Debenture and interest thereon.

SCHEDULE B.

SCHEDULE B.

Received from	Province Treasurer, the sum of	being one	Form of Receipt for interest.
year's interest on Treasury Debenture, Class	Number	up to	
the day of	one thousand eight hundred and	.	

CAP. IV.

An Act to authorize the use of part of the building erected for a Market House in the City of Saint John, for other purposes than as a Market.

Passed 20th September 1839.

‘WHEREAS the Mayor, Aldermen and Commonalty of the City of Saint John, have lately erected a large and commodious Market House, in the Market Square in King's and Queen's Wards in the said City of Saint John, and it is considered that it would be of great advantage and convenience to the public at large to have the offices containing the City and County Records, and other public offices in the City concentrated and placed therein, and that the Cellar or Basement Story or such part thereof as the Common Council may think fit should be used for a Public Bonding Warehouse;’

Preamble.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That it shall and may be lawful for, and the Mayor, Aldermen and Commonalty of the City of Saint John, are hereby authorized and empowered to set apart, use, and appropriate such parts of the said Building, so erected by them in the said Market place, as and for such public offices as they the said Mayor, Aldermen and Commonalty of the City of Saint John, or the major part of them in Common Council convened, may deem convenient and necessary, and also as an Exchange for the meeting of Merchants, and also to use and appropriate the Cellar or Basement Story of the said Market House for the housing and storing of any Goods or other Articles liable to pay duty, and which by any Law in force in this Province may be warehoused before the duties shall be required to be paid thereon.

City Corporation authorize to appropriate part of the Market House for public offices, an Exchange and Bonding Warehouse.

II. And be it enacted, That this Act shall continue and be in force until the first day of April, which will be in the year of our Lord One thousand eight hundred and forty five.

Limitation.

CAP. V.

An Act to revive and continue an Act to restrain the provisions of the fifth section of an Act intituled “An Act for the support of the Civil Government in this Province,” and to establish sundry regulations for the future disposal of Crown Lands and Timber in certain cases.

Passed 20th September 1839.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the eighth year of the Reign of His late Majesty King William the Fourth, intituled “An Act to restrain the provisions of the fifth Section of an Act, intituled ‘An Act for the support of the Civil Government in this Province,’ and to establish sundry regulations for the future disposal of Crown Lands and Timber in certain cases,” be and the same is hereby revived and continued, and declared to be in full force and virtue for the period of two years from and after the passing of this Act.

8 W. 4 C. 2, revived and continued for two years.

Anno Secundo VICTORIÆ Reginae.

CAP. LI.

An Act to make perpetual "An Act for the support of the Civil Government in this Province."

Passed 23d March 1839.

Act 8, W. 4, C. 1,
made perpetual.

I. **B**E it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the eighth year of the Reign of our late Sovereign Lord King William the Fourth, intituled "An Act for the support of the Civil Government in this Province," be and the same is hereby made perpetual.

Suspending
clause.

II. And be it further enacted, That this Act shall not be in force until Her Majesty's Royal approbation be thereunto had and declared.

[This Act was specially confirmed, ratified, and finally enacted by an Order of the Queen in Council, dated the 11th day of July, 1839, and published and declared in the Province on the 25th day of September, 1839.]

ACTS
OF
THE GENERAL ASSEMBLY
OF
HER MAJESTY'S PROVINCE
OF
NEW BRUNSWICK,
PASSED IN THE YEAR
1840.



FREDERICTON:

PRINTED BY JOHN SIMPSON, PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY.

MDCCCXL.

Anno Regni VICTORIÆ Britanniarum Reginae Tertio.

AT the General Assembly of the Province of New Brunswick, begun and holden at Fredericton on the Twenty eighth day of December, *Anno Domini* One thousand eight hundred and thirty seven, in the First year of the Reign of our Sovereign Lady Victoria, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, and from thence continued by several Prorogations to the Twenty eighth day of January one thousand eight hundred and forty: being the Fourth Session of the Twelfth General Assembly convened in the said Province.

THE
ACTS
OF
THE GENERAL ASSEMBLY, &c.

CAP. I.

An Act imposing Duties for raising a Revenue.

Passed 25th March 1840.

WE, Her Majesty's dutiful and loyal Subjects, the Assembly of New Brunswick in General Assembly convened, for raising the necessary supplies to defray the expenses of Her Majesty's Government within this Province, have freely resolved to give and grant to the Queen's Most Excellent Majesty the several rates and duties in the Schedule hereinafter mentioned, and do therefore pray Your Excellency that it may be enacted;

I. And be it enacted by His Excellency the Lieutenant Governor, by and with the advice and consent of the Legislative Council and Assembly, and by the authority of the same, that on and after the first day of April which will be in this present year of our Lord one thousand eight hundred and forty, there be and are hereby granted to the Queen's Most Excellent Majesty, Her Heirs and Successors, for the use of this Province and for the support of the Government thereof, the several rates and duties inserted, described and set forth in figures in the Table of duties hereinafter contained, denominated *Schedule of Articles subject to duty and Articles exempted from duty*, opposite to and against the respective Articles in the said Table or Schedule mentioned, described and enumerated, and according to the value, number or quantity of such Articles therein specified, whether imported or brought into this Province either by Sea, by inland navigation, or by Land, from any part of the British Empire, or from any port or place, or which may be saved from any wrecked or stranded Ship or Vessel.

Duties granted for the use of the Province and support of the Government on articles specified in the Schedule.

II. And be it enacted, That the several duties hereinbefore imposed and in the said Table or Schedule mentioned, shall be paid by the importer or importers of such Articles respectively, and shall be held and taken to be in addition to and over and above any duties which are or may be imposed and collected by any Act or Acts of the Imperial Parliament, and shall be collected and secured by means and under the regulations and penalties, and shall be drawn back on exportation or warehoused in the way and manner provided by any Act or Acts of the General Assembly for collecting the Revenue of the Province.

To be in addition to any duties imposed by Acts of Parliament.

III. And be it enacted, That all goods which shall have been warehoused in this Province before this Act comes into operation, and which shall remain so warehoused after the operation thereof commences, and on which the Provincial duties heretofore imposed have not been paid or secured by a subsisting or continuing security, shall in lieu of all former duties become liable to and be charged with Provincial duties hereby imposed on the like goods and merchandize, and shall be paid at the time of taking such goods and merchandize out of the warehouse.

Warehoused goods on which duties have not been secured to be liable to duties imposed by this Act.

Duties to be repaid
or Warehouse
Bond cancelled as
to goods exported
for the deep sea
or whale fishery.

IV. And be it enacted, That when any articles that shall have been warehoused, or on which duties shall have been paid under this or any other previous Act, shall be exported for the use of the deep Sea or Whale Fisheries, the amount of such duties shall be repaid to the exporter by the Treasurer, or Deputy Treasurer, or the Warehouse Bond cancelled, on affidavit (of the exporter) of the same having been so exported, for the use aforesaid.

Duties on seizures
to be paid over as
a bounty.

V. And be it enacted, That the duties which may be paid upon any Articles seized by the Officers of Her Majesty's Customs, shall be paid by the Treasurer to the Person or Persons making such seizure, as a Bounty for such seizure.

Limitation.

VI. And be it enacted, That this Act shall continue and be in force until the first day of April, which will be in the year of our Lord one thousand eight hundred and forty one.

Schedule of Articles subject to Duty, and Articles exempted from Duty.

Schedule of arti-
cles liable to duty
and rate.

		£.	s.	d.
SPIRITS, <i>videlicet</i> ,				
	Brandy, per gallon,	0	2	3
	Rum or Spirits, being of the proof of 26 by the Bubble, per gallon,	0	1	6
	And for every Bubble below 26, for each Bubble, per gallon			
	an additional	0	0	1
	Being of Foreign production a further and additional, per gallon,	0	0	6
	Geneva, Gin, Hollands or Cordials, per gallon,	0	1	6
	Whiskey, per gallon,	0	2	0
	Shrub, Santa, Lime Juice, per gallon,	0	0	6
WINES, <i>videlicet</i> ,				
	On all Wines imported direct from the place of growth and pro-			
	duce, per gallon,	0	1	9
	Otherwise imported, per gallon,	0	2	6
SUGAR, <i>videlicet</i> ,				
	Muscovado or Brown, per hundred weight,	0	2	6
	Loaf, Lump or Refined, per pound,	0	0	1
COFFEE, per pound,		0	0	1
DRIED FRUITS, per hundred weight,		0	5	0
MOLASSES, per gallon,		0	0	1
TOBACCO, <i>videlicet</i> ,				
	Manufactured (except Snuff and Cigars) per pound,	0	0	0 $\frac{1}{2}$
	Snuff and Cigars, for every £100 of the true and real value thereof,	5	0	0
CATTLE,				
	For and upon every Foreign Horse,	5	0	0
	For and upon every Foreign Ox,	1	0	0
	For and upon all other Foreign Horned Cattle,	1	0	0
For and upon the following Foreign Manufactured Articles, when not				
imported from the United Kingdom, <i>videlicet</i> :				
	Chairs,	} For every £100 of the true and real value thereof,		
	Clocks,			
	Clock Cases,			
	Clock Movements or Machinery,			
	Watches,			
	Household Furniture,			
	Pictures,			
	Mirrors,			
	Looking Glasses.			
		25	0	0

And for and upon all soap and candles, india rubber shoes, and all other Foreign Articles, manufactured or not manufactured, not otherwise charged with duty, nor hereinafter declared to be free of duty,	} For every £100 of the true and real value thereof,	10 0 0
SILK, and for all manufactures of which Silk shall form a component part,	} For every £100 of the true and real value thereof,	2 10 0
And for and upon all Articles, the manufacture of the United Kingdom, imported or brought into this Province, whether by sea or inland carriage or navigation, or which may be saved from any wrecked or stranded ship or vessel, or not otherwise charged with duty, nor hereinafter declared to be free of duty ; also all manufactures of cotton of the British East India possessions, pepper and all other description of spices.	} For every £100 of the true and real value thereof,	2 10 0
Colonial Leather and Malt Liquor,	} For every £100 of the true and real value thereof,	5 0 0

Schedule of articles liable to duty and rate, *continued*.

EXCEPTIONS.

To all Foreign Articles, Manufactured or not Manufactured, *videlicet* :

Agricultural Implements, (Axes excepted.)
 Barilla Ashes,
 Bees Wax,
 Bristles,
 Books (printed) and Pamphlets,
 Beans,
 Bread,
 Cotton Wool,
 Cows,
 Cordage,
 Canvass,
 Dyewoods,
 Felt,
 Flour and Meal of all kinds, (Buckwheat excepted.)
 Grass Seeds and all other kinds of seeds and plants,
 Grain of all kinds,
 Ground Gypsum,
 Hay,
 Hides,
 Horse Hair,
 Horns,
 Hemp,
 Hops,
 Indigo,
 Iron,
 India Rubber,
 Lumber of all kinds,
 Leaf Tobacco,

Articles exempted from duty.

DUTY FREE.

Lignumvitæ,

Articles exempted
from duty, con-
tinued.

Lignumvitæ,
Looking Glass Plates, and Picture and Plate Glass,
Mahogany Logs, Boards and Veneers,
Meats, dried and salted,
Mill Saws,
Palm Oil,
Pitch,
Pease,
Potashes,
Rosin,
Rice,
Salt,
Tea,
Tar,
Turpentine,
Tallow,
Vinegar.

DUTY FREE.

To all articles the manufacture of the United Kingdom, *videlicet* :

Agricultural Implements,
Anchors,
Barley, Pot or Pearl,
Beef,
Bacon,
Books (printed) and Pamphlets,
Bread,
Bunting,
Bricks and Tiles,
Coals,
Copper, Bolt and Sheet,
Copper, Spikes and Nails,
Canvas,
Coal Tar,
Cordage,
Duck,
Felt, patent,
Fishing Nets,
Hooks, Lines and Twines,
Flour and Meal of all kinds,
Globes,
Iron, bolt, bar, square, pig or sheet,
Iron Block Bushes,
Lead, bar and sheet,
Mineral Salt, and Salt of all kinds,
Malt,
Machinery for Mills or Steam Boats,
Mathematical and Musical Instruments of all kinds, and Philosophical
and Chemical Apparatus,
Hydraulic Engines,
Maps,
Oakum,

DUTY FREE.

Pork,

Pork,
 Printing Paper,
 Steel,
 Spikes and Sheathing Nails,
 Ship Tackle and Apparel,
 Sheathing Paper,
 Tin in sheets and blocks,
 Zinc.

DUTY FREE.

Articles exempted
 from duty, con-
 tinued.

CAP. II.

An Act to continue an Act, intituled "An Act relating to the Herring Fisheries in the County of Charlotte." 7 W. 4, c. 36.

Passed 25th March 1840.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the seventh year of the Reign of His late Majesty King William the Fourth, intituled "An Act relating to the Herring Fisheries in the County of Charlotte," be and the same is hereby continued and declared to be in full force until the first day of April which will be in the year of our Lord one thousand eight hundred and forty five. 7 W. 4, c. 36, continued.

CAP. III.

An Act to continue the Act for the punishment of persons who shall be guilty of the trespasses therein mentioned in the City of Saint John.

Passed 25th March 1840.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the fifth year of the Reign of His Majesty King William the Fourth, intituled "An Act for the punishment of persons who shall be guilty of the trespasses therein mentioned in the City of Saint John," be and the same is hereby continued and declared to be in force until the first day of April which will be in the year of our Lord one thousand eight hundred and fifty. 5 W. 4, c. 9, continued.

CAP. IV.

An Act to continue the Act imposing a Duty on Rum and other Liquors distilled within the Province.

Passed 25th March 1840.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the ninth and tenth years of the Reign of His late Majesty King George the Fourth, intituled "An Act further to increase the Revenue of the Province by imposing a Duty upon all Rum and other Spirituous Liquors that shall be distilled within the same," be and the same is hereby continued and declared to be in force until the first day of April which will be in the year of our Lord one thousand eight hundred and forty five. 9 & 10 G. 4, c. 30, continued.

CAP. V.

An Act to continue the Act for prohibiting and suppressing of Lotteries in this Province.

Passed 25th March 1840.

5 W. 4, c. 12, continued.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the fifth year of the Reign of His late Majesty King William the Fourth, intituled "An Act for prohibiting and suppressing of Lotteries in this Province," be and the same is hereby continued and declared to be in force until the first day of April which will be in the year of our Lord one thousand eight hundred and forty five.

CAP. VI.

An Act to continue the Act to provide for the payment of Interest on Warrants.

Passed 25th March 1840.

4 W. 4, c. 42, continued.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the fourth year of the Reign of His late Majesty King William the Fourth, intituled "An Act to provide for the payment of Interest on Warrants which are not paid at the Treasury on demand," be and the same is hereby continued and declared to be in force until the first day of April which will be in the year of our Lord one thousand eight hundred and forty five.

CAP. VII.

An Act to continue the Act to provide for the better assessment of County and Parish Rates.

Passed 25th March 1840.

1 Vic. c. 7, continued.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the first year of the Reign of Her present Majesty, intituled "An Act to provide for the better assessment of County and Parish Rates," be and the same is hereby continued and declared to be in force until the first day of April which will be in the year of our Lord one thousand eight hundred and forty five.

CAP. VIII.

An Act to continue an Act to prevent Disorderly Riding on Streets and Highways in this Province.

Passed 25th March 1840.

6 W. 4, c. 25, continued.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the sixth year of the Reign of His late Majesty King William the Fourth, intituled "An Act to prevent Disorderly Riding on Streets and Highways in this Province," be and the same is hereby continued and declared to be in full force until the first day of April which will be in the year of our Lord one thousand eight hundred and forty five.

CAP. IX.

An Act to continue an Act to provide for the services of the Clerk of the Circuit Courts in this Province.

Passed 25th March 1840.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the fifth year of the Reign of His late Majesty King William the Fourth, intituled "An Act to provide for the services of the Clerk of the Circuit Courts in this Province," be and the same is hereby further continued and declared to be in full force until the first day of April which will be in the year of our Lord one thousand eight hundred and forty five.

5 W. 4, c. 46,
continued.

CAP. X.

An Act to provide for the establishment of a Grammar School in the County of Restigouche.

Passed 25th March 1840.

“WHEREAS in and by the seventh Section of an Act, intituled "An Act for the endowment of King's College, in the Province of New Brunswick, and also to make new provisions for the establishment and support of Grammar Schools throughout the Province," it is enacted, that His Excellency the Lieutenant Governor or Commander in Chief for the time being, by and with the advice and consent of His Majesty's Council, be authorized and empowered to appoint during pleasure, and to remove as he shall see fit, three or more fit and proper persons in the several Counties in this Province, the Counties of York and Charlotte and City and County of Saint John excepted, to be Trustees and Directors of the Grammar Schools in each of the said Counties, except the aforesaid and for which they shall be respectively appointed: And whereas also in and by the thirteenth Section of the said Act it is further enacted, that the sum of one hundred pounds annually shall be included in the estimate of the ordinary expenses of the Province for each of the following Counties, that is to say, the Counties of Northumberland, Sunbury, Westmorland, Gloucester, Kent and Queen's and King's Counties, which said sum of one hundred pounds shall be granted annually for the payment of the Masters thereof respectively, the same to be drawn on the certificate of the Trustees and Directors in favour of the person or persons entitled thereto: And whereas it is expedient to extend the provisions of the said Sections to the new County of Restigouche;

Preamble.

9 & 10 G. 4, c. 29.

Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That the two said Sections of the aforesaid Act shall hereafter be construed to extend to the said County of Restigouche in like manner as if the same had been particularly mentioned therein, anything in the said Sections to the contrary notwithstanding, subject nevertheless to all the provisions, restrictions and limitations to which the other Counties in this Province are liable to by virtue of the said Act.

9 & 10 G. 4, c. 29,
sec. 7 and 13 extended to the
County of Restigouche.

CAP. XI.

9 G. 4, c. 19. An Act to continue an Act, intituled "An Act to grant a bounty on the Destruction of Bears in this Province."

Passed 25th March 1840.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the ninth year of the Reign of His Majesty King George the Fourth, intituled "An Act to grant a bounty on the destruction of Bears in this Province," be and the same is hereby continued and declared to be in force until the first day of April which will be in the year of our Lord one thousand eight hundred and forty five.

9 G. 4, c. 19, continued.

CAP. XII.

An Act to continue the Act to regulate the ungranted Ferries in this Province.

Passed 25th March 1840.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the fifth year of the Reign of His late Majesty King William the Fourth, intituled "An Act to regulate the ungranted Ferries in this Province," be and the same is hereby continued and declared to be in force until the first day of April which will be in the year of our Lord one thousand eight hundred and fifty.

5 W. 4, c. 38, continued.

CAP. XIII.

An Act to continue the Act to regulate Pawn Brokers within this Province.

Passed 25th March 1840.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the sixth year of the Reign of His late Majesty King William the Fourth, intituled "An Act to regulate Pawn Brokers within this Province," be and the same is hereby continued and declared to be in force until the first day of April which will be in the year of our Lord one thousand eight hundred and forty five.

6 W. 4, c. 35, continued.

CAP. XIV.

An Act to continue the Act to regulate the exportation of Lumber.

Passed 25th March 1840.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the seventh year of the Reign of His late Majesty King William the Fourth, intituled "An Act to regulate the exportation of Lumber," be and the same is hereby continued and declared to be in force until the first day of April which will be in the year of our Lord one thousand eight hundred and forty five.

7 W. 4, c. 10, continued.

CAP. XV.

An Act to continue an Act, intituled "An Act to regulate the Assize of Bread in the Towns of Newcastle and Chatham in the County of Northumberland." 1 W. 4, c. 37.

Passed 25th March 1840.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the first year of the Reign of His late Majesty King William the Fourth, intituled "An Act to regulate the Assize of Bread in the Towns of Newcastle and Chatham, in the County of Northumberland," be and the same is hereby continued and declared to be in full force and effect until the first day of April which will be in the year of our Lord one thousand eight hundred and forty five. 1 W. 4, c. 37, continued.

CAP. XVI.

An Act to continue an Act in addition to the Laws now in force for the protection of the Fisheries in the Counties of Northumberland, Kent and Gloucester.

Passed 25th March 1840.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the seventh year of the Reign of His late Majesty King William the Fourth, intituled "An Act in addition to the Laws now in force for the protection of the Fisheries in the Counties of Northumberland, Kent and Gloucester," be and the same is hereby continued and declared to be in full force and effect until the first day of April which will be in the year of our Lord one thousand eight hundred and forty five. 7 W. 4, c. 23, continued.

CAP. XVII.

An Act to continue an Act, intituled "An Act to extend the provisions of an Act, intituled 'An Act to repeal the Laws now in force for appointing Firewards and the better extinguishing of Fires so far as the same relate to the Town of Fredericton and to make regulations more suitable to the said Town,' to the Towns of Newcastle and Chatham and their vicinities in the County of Northumberland." 9 G. 4, c. 14.

Passed 25th March 1840.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the ninth year of the Reign of His Majesty King George the Fourth, intituled "An Act to extend the provisions of an Act, intituled 'An Act to repeal the Laws now in force for appointing Firewards and the better extinguishing of Fires, so far as the same relate to the Town of Fredericton, and to make regulations more suitable to the said Town,' to the Towns of Newcastle and Chatham, and their vicinities in the County of Northumberland," be and the same is hereby continued and declared to be in full force and effect until the first day of April which will be in the year of our Lord one thousand eight hundred and forty five. 9 G. 4, c. 14, continued.

CAP. XVIII.

10 & 11 G. 4, c. 16. An Act to continue an Act, intituled "An Act to repeal an Act, intituled 'An Act for the better security of the Navigation of certain Harbours in the County of Northumberland,' and to make more effectual provision for the better security of the Harbours in the Counties of Northumberland, Kent and Gloucester."

Passed 25th March 1840.

10 & 11 G. 4, c. 16,
continued.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the tenth and eleventh years of the Reign of His Majesty King George the Fourth, intituled "An Act to repeal an Act, intituled 'An Act for the better security of the Navigation of certain Harbours in the County of Northumberland,' and to make more effectual provision for the better security of the Harbours in the Counties of Northumberland, Kent and Gloucester," be and the same is hereby continued and declared to be in full force and effect until the first day of April which will be in the year of our Lord one thousand eight hundred and forty five.

CAP. XIX.

An Act for altering the times of holding one of the Terms of the Inferior Court of Common Pleas and General Sessions of the Peace, and also one of the additional Terms of the said Inferior Court of Common Pleas for the County of King's.

Passed 25th March 1840.

Preamble.

WHEREAS the times appointed for holding the July Term of the Inferior Court of Common Pleas and General Sessions of the Peace for King's County, and also the time for holding the November Term of the said Inferior Court of Common Pleas has been found inconvenient; for remedy whereof,

July Term altered
to third Tuesday
in October.

I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the Term of the said Inferior Court of Common Pleas and General Sessions of the Peace for the said County, heretofore held on the first Tuesday in July, shall hereafter be held on the third Tuesday in October in each and every year; and the additional Term of the said Inferior Court of Common Pleas heretofore held on the first Tuesday in November shall hereafter be held on the first Tuesday in January in each and every year, any Law to the contrary thereof in any wise notwithstanding.

Additional Term
to be held on first
Tuesday in Jan-
uary instead of
November.

No process to
abate by reason of
the alteration.

II. And be it enacted, That no writ, process or other proceeding shall abate or be discontinued by reason of the passing of this Act; but such writ, process or proceeding shall be carried on and continued to final Judgment in the same manner as if this Act had not passed, anything herein contained, or any law, usage or custom to the contrary in any wise notwithstanding.

CAP. XX.

An Act to continue the Act relating to Landlord and Tenant.

Passed 25th March 1840.

8 W. 4, c. 5, con-
tinued.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the eighth year of the Reign of His late Majesty King William the Fourth, intituled "An Act relating to Landlord and Tenant," be and the same is hereby continued and declared to be in force until the first day of May which will be in the year of our Lord one thousand eight hundred and forty five.

CAP. XXI.

An Act to continue an Act in addition to an Act, intituled "An Act to repeal all the Laws now in force for the organization and regulation of the Militia and to make further provisions for the same." 1 Vict. c. 1.

Passed 25th March 1840.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the first year of the Reign of her present Majesty, intituled "An Act in addition to an Act, intituled 'An Act to repeal all the Laws now in force for the organization and regulation of the Militia and to make further provisions for the same,' " be and the same is hereby continued and declared to be in force until the first day of April which will be in the year of our Lord one thousand eight hundred and forty five.

1 Vict. c. 1, continued.

CAP. XXII.

An Act to continue an Act to authorize the Justices of the Peace in the County of York to make further provision for the payment of the Treasurer of that County.

Passed 25th March 1840.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the sixth year of the Reign of His late Majesty King William the Fourth, intituled "An Act to authorize the Justices of the Peace in the County of York to make further provision for the payment of the Treasurer of that County," be and the same is hereby continued and declared to be in force until the first day of April which will be in the year of our Lord one thousand eight hundred and forty five.

6 W. 4, c. 16, continued.

CAP. XXIII.

An Act to authorize the Grand Jurors of the several Counties within this Province to inspect the Public Accounts.

Passed 25th March 1840.

I. **BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That once in each year at the General Sessions of the Peace in each County in this Province, next succeeding the General Sessions at which Parish Officers are appointed, it shall be the duty of the Justices to cause a full, particular and detailed account of all the receipts and expenditures of public monies within such County for the past year, to be laid before the Grand Jury for their inspection and examination; and such Grand Jury may make such representation and presentment to the Court thereupon as to them shall seem meet.

Accounts of public monies to be laid annually before the Grand Jury, who may make presentments thereupon.

II. Provided always and be it further enacted, That in the County of Charlotte the said detailed account shall be laid before the Grand Jury at the General Sessions of the Peace at which Parish Officers are appointed on or before the second day of the said Sessions.

At what Term to be submitted in Charlotte County.

III. And be it enacted, That this Act shall continue and be in force until the first day of April which will be in the year of our Lord one thousand eight hundred and forty five.

Limitation.

CAP. XXIV.

An Act to continue the Act to regulate the Inspection of dry and pickled Fish for Home consumption and for exportation.

Passed 25th March 1840.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the fifth year of the reign of His late Majesty King William the Fourth, intituled "An Act to regulate the Inspection of dry and pickled Fish for Home consumption and for exportation," be and the same is hereby continued and declared to be in force until the first day of April which will be in the year of our Lord one thousand eight hundred and forty five.

5 W. 4, c. 43,
continued.

CAP. XXV.

An Act to continue the Act relating to Church Wardens and Vestrymen, and to persons having voices in their election, so far as relates to the Parish Church of Saint Andrews.

Passed 25th March 1840.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the second year of the Reign of His late Majesty King William the Fourth, intituled "An Act to amend an Act, intituled 'An Act to repeal an Act passed in the fiftieth year of the Reign of His Majesty King George the Third, intituled 'An Act to declare the qualifications of Church Wardens and Vestrymen in the several Parishes in this Province, and of the persons having voices in their Election and to make other and more effectual enactments in lieu thereof,' so far as the same relates to the Parish Church of Saint Andrews,'" be and the same is hereby continued and declared to be in force until the first day of April which will be in the year of our Lord one thousand eight hundred and forty five.

2 W. 4, c. 16,
continued.

CAP. XXVI.

An Act to continue an Act relating to the Navigation of the Inner Bay of Passamaquoddy.

Passed 25th March 1840.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the fifth year of the Reign of His late Majesty King William the Fourth, intituled "An Act relating to the Navigation of the Inner Bay of Passamaquoddy," be and the same is hereby continued and declared to be in force until the first day of April which will be in the year of our Lord one thousand eight hundred and forty five.

5 W. 4, c. 41,
continued.

CAP. XXVII.

An Act to continue the Act for the more speedy and effectual punishment of Persons keeping disorderly houses.

Passed 25th March 1840.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the ninth and tenth years of the Reign of His Majesty King George the Fourth, intituled "An Act for the more speedy and effectual punishment of Persons keeping disorderly Houses," be and the same is hereby continued and declared to be in force until the first day of April which

9 & 10 G. 4, c. 8,
continued.

which will be in the year of our Lord one thousand eight hundred and forty five.

CAP. XXVIII.

An Act to regulate the assize of Bread in the Towns of Saint Andrews and Saint Stephen, in the County of Charlotte, and to repeal the Acts now in force relating to the Town of Saint Andrews.

Passed 25th March 1840.

‘WHEREAS it is found necessary that there should be a Law to regulate ‘the assize of Bread in the Towns of Saint Andrews and Saint Stephen, ‘in the County of Charlotte;’

I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That all the Laws now in force relating to the regulation of the assize of Bread in the Town of Saint Andrews, in the County of Charlotte, so far as the same relate to the said Town of Saint Andrews, be and the same are hereby repealed.

All acts relating to assize of Bread in Saint Andrews repealed.

II. And be it enacted, That the Justices of the Peace for the County of Charlotte, be and they are hereby authorized and empowered from time to time to make such rules and regulations for ascertaining and establishing the assize of Bread and the sale thereof, for the said Towns of Saint Andrews and Saint Stephen respectively as they or the major part of them, in any General or at any Special Sessions to be holden for that purpose, shall deem just and expedient, and to enforce such Rules and Regulations under such Fines as they or the major part of them shall think fit: Provided always, That no fine for any offence shall exceed the sum of forty shillings.

Justices may regulate an assize of Bread for the Towns of Saint Andrews and Saint Stephen.

III. And be it further enacted, That the Clerk of the Market for the said Towns of Saint Andrews and Saint Stephen respectively, is hereby authorized and empowered, whenever he shall judge it necessary, and it shall be his duty at all times when complaint shall be made to him, to enter and go into any Bakehouse within the Town for which he shall be so appointed (in the day time) where Bread is manufactured for sale, and into any Shop or other place where bread is sold or offered for sale, and carefully to inspect and weigh all Bread so manufactured or offered for sale; and in case he shall find any Bread to be of less weight than the regulated assize to be established as aforesaid, it shall be his duty and he is hereby enjoined and required to seize all Bread he shall so find deficient in weight, and to deliver the same to the Overseers of the Poor, or the Commissioners of the Poor House, as the case may be, or to any one of them, for the Parish in which such bread shall be seized for the use of the Poor of such Parish; and such Clerks of the Market shall respectively have like power to seize and dispose of as above directed any Bread that may be found deficient in weight in any cart, sled, or other vehicle in which the same may be carried about for delivery or sale.

and impose fines not exceeding forty shillings.

Clerk of the Market, upon complaint made, to inspect Bakehouses and Shops where bread is sold.

Light bread to be seized for the benefit of the poor.

IV. And be it further enacted, That the said respective Clerks of the Market shall forfeit and pay for any neglect of duty imposed on them by virtue of this Act, the sum of forty shillings, to be forfeited by the party guilty of such neglect.

Penalty for neglect of duty.

V. And be it further enacted, That the several fines and penalties imposed by this Act, shall be recovered upon the oath of one or more credible witness or witnesses, or on confession of the party charged, before any one of Her Majesty's Justices of the Peace in the said County, and levied by distress and sale of the offender's goods and chattels, rendering the overplus (if any) after deducting the costs and charges of such prosecution and sale to such offender, and shall be

Recovery and application of fines and penalties.

applied one half to the person who shall sue for the same, and the other half to the use of the Poor of such Parish in which the offence shall have been committed.

Limitation. *

VI. And be it further enacted, That this Act shall continue and be in force for five years from the time of the passing of this Act.

CAP XXIX.

9 G. 4, c. 28.

An Act to continue an Act, intituled "An Act to repeal the Laws now in force for appointing Firewards, and for the better extinguishing Fires in the Town of Saint Andrews, and to make regulations more suitable to the said Town, and for other purposes therein mentioned."

Passed 25th March 1840.

9 G. 4, c. 28, continued.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the ninth year of the Reign of His Majesty King George the Fourth, intituled "An Act to repeal the Laws now in force for appointing Firewards, and for the better extinguishing Fires in the Town of Saint Andrews, and to make regulations more suitable to the said Town, and for other purposes therein mentioned," be and the same is hereby continued and declared to be in force until the first day of April which will be in the year of our Lord one thousand eight hundred and forty five.

CAP. XXX.

An Act for erecting a part of the Parish or Township of Sussex, in King's County, into a separate and distinct Parish or Township.

Passed 25th March 1840.

Preamble.

WHEREAS the Parish or Township of Sussex is so extensive as to render it inconvenient and burthensome to perform the several Parochial duties required by Law, and it is expedient a separate Parish should be erected therein, and that a certain part of the Parish of Sussex should be erected into a distinct Parish;

Parish of Studholm erected from part of Sussex.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That all that part of the said Parish of Sussex, in the said County of King's, which lies on the north side of the centre of the River Kennebeccasis, beginning at the line between Norton and Sussex, in the centre of the said River, and following the centre of the said River upwards until it strikes the southerly angle of Lot number twenty five, on the north side of the Kennebeccasis or Salmon River, granted to Jacob Snider; thence running along the upper or easterly line of the said grant, north to the rear of the said Lot; thence north sixty six degrees east till it intersects the County Line dividing Westmorland from King's; thence along the said line northerly to the intersection of the south line of Queen's County; thence following the course of that line to the dividing line between the Parishes of Springfield and Sussex, thence southerly on the said line to the place of beginning, be and the same is hereby erected into a separate and distinct Parish or Township to be called, known and distinguished by the name of *Studholm*, any Law, usage or custom to the contrary thereof in any wise notwithstanding.

Parish officers to be appointed.

II. And be it enacted, That the Justices of the Peace for the said County, at a Special Sessions for that purpose to be holden previous to the first day of May in the present year, and thereafter at the first General Sessions in each and every year, shall in like manner as for other Towns or Parishes in the said County, appoint Parish Officers for the said Town or Parish of Studholm, who shall be subject

subject to the same Laws and Regulations, and liable to the same penalties in all respects as Parish Officers in other Parishes are or may be liable to.

III. Provided always and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to prevent the recovery of any Parish or other dues, assessments, taxes, penalties, fines or monies whatsoever which may be due, incurred, forfeited or unpaid when this Act shall go into operation, but the same shall and may be paid and recovered in like manner as if this Act had not been made.

Act not to prevent the recovery of assessments.

CAP. XXXI.

An Act to continue the several Acts now in force relating to insolvent confined Debtors.

Passed 25th March 1840.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the sixth year of the reign of His late Majesty King William the Fourth, intituled "An Act relating to insolvent confined Debtors;" also an Act made and passed in the seventh year of the Reign of His said late Majesty, intituled "An Act to amend an Act, intituled 'An Act relating to insolvent confined Debtors,'" be and the same are hereby respectively continued and declared to be in force until the first day of April which will be in the year of our Lord one thousand eight hundred and forty five.

6 W. 4, c. 41, continued.

CAP. XXXII.

An Act to alter the time for holding the Terms of the Inferior Court of Common Pleas and General Sessions of the Peace for the County of York.

Passed 25th March 1840.

WHEREAS the time of holding the Terms of the Inferior Court of Common Pleas and General Sessions of the Peace for the County of York, 'has been found inconvenient; for remedy whereof,'

Preamble.

I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and after the passing of this Act, the Terms of the said Inferior Court of Common Pleas and General Sessions of the Peace, heretofore held on the second Tuesday in January and June respectively, shall hereafter be holden on the first Tuesday in January and June respectively, in each and every year, any law, usage or custom to the contrary in any wise notwithstanding.

Terms altered to the first Tuesdays in January and June.

II. And be it enacted, That no suit, process or proceeding, instituted or commenced before the passing of this Act, shall abate or be discontinued by reason of the altering of the time of holding the said Terms respectively, but all actions, processes, suits and proceedings shall be carried on and continued to final judgment, in the same manner as if this Act had not passed, anything herein contained to the contrary notwithstanding.

No process to abate by reason of the alteration.

CAP. XXXIII.

5 W. 4, c. 36.

An Act to amend and continue an Act, intituled "An Act for the appointment of Firewards and the better extinguishing of Fires which may happen in that part of the Parish of Saint Stephen, commonly called Mill Town and its immediate vicinity."

Passed 25th March 1840.

Firemen appointed under 5 W. 4, c. 36, exempted from serving as Constables and Surveyors of Highways, from statute labor, and as Jurymen at the Inferior Courts of Common Pleas.

I. **B**E it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the Firemen appointed, or hereafter to be appointed, under and by virtue of an Act made and passed in the fifth year of the Reign of His late Majesty King William the Fourth, intituled "An Act for the appointment of Firewards and the better extinguishing of Fires which may happen in that part of the Parish of Saint Stephen, commonly called Mill Town, and its immediate vicinity," and each and every of them from time to time during their continuance in office, shall be, and they are hereby declared to be free, exempted and privileged from serving in the several offices of Constable and Surveyors of Highways, and from all Statute Labour on the Highways and Streets in the said Parish of Saint Stephen, and from serving on any Jury at the General Sessions of the Peace and Inferior Court of Common Pleas in the County of Charlotte.

Limitation.

II. And be it enacted, That this Act, and the above recited Act of which this is an amendment, shall continue and be in force until the first day of April which will be in the year of our Lord one thousand eight hundred and forty five.

CAP. XXXIV.

An Act to continue the Act to provide for the collection of County and Parish Rates.

Passed 25th March 1840.

7 W. 4, c. 7, continued.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the seventh year of the Reign of His late Majesty King William the Fourth, intituled "An Act to provide for the collection of County and Parish Rates," be and the same is hereby continued and declared to be in force until the first day of April which will be in the year of Lord one thousand eight hundred and forty five.

CAP. XXXV.

An Act to alter and amend an An Act, intituled "An Act to incorporate sundry persons by the name of the President, Directors and Company of the Bank of New Brunswick."

Passed 25th March 1840.

Preamble.

‘**W**HEREAS it is thought advisable that the number of Directors to be annually chosen for the management of the concerns of the Corporation of the President, Directors and Company of the Bank of New Brunswick, be reduced to nine, that five of such number be sufficient to form a Board for the transaction of business, and that it shall be no longer required that more than three of such Directors in office during the year preceding the day of each annual election shall be re-elected for the ensuing year; and that one of the said Directors, so to be re-elected, shall as heretofore be the President of the said Corporation, who was in office during such preceding year;’

60 G. 3, c. 13, in part repealed.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That so much of the Act made and passed in the sixtieth year of the Reign of His Majesty King George the Third, intituled "An Act to incorporate sundry

sundry persons by the name of the President, Directors and Company of the Bank of New Brunswick," as relates to the number of Directors to be annually chosen for the management of the concerns of the said Corporation, the number requisite to constitute a Board for the transaction of business, and the number of Directors in office during the year preceding the day of election to be re-elected, and also an Act made and passed in the second year of the Reign of Her Majesty Queen Victoria, intituled "An Act to alter and amend an Act, intituled 'An Act to incorporate sundry persons by the name of the President, Directors and Company of the Bank of New Brunswick,'" be and the same are hereby repealed.

II. And be it enacted, That at the General Meeting of the Stockholders and Members of the said Corporation to be annually holden as by Law required, there shall be chosen by a majority of the Stockholders and Members of the said Corporation present, nine Directors for the management of the concerns of the said Corporation, who shall continue in office for one year, or until others are chosen in their room; in the choice of which Directors the Stockholders and Members of the said Corporation shall vote according to the Rule in and by the said Act of Incorporation mentioned; and the Directors when chosen shall, at their first Meeting after their election, choose out of their number a President; Provided always, That three of the Directors in office shall be re-elected at such Annual Meeting for the next succeeding twelve months, of which the President shall always be one.

Nine Directors to be annually chosen.

Directors to choose a President.

III. And be it enacted, That five Directors so chosen, but no less than five, shall constitute a Board for the transaction of business, of which the President shall always be one, excepting in case of sickness or necessary absence, in which case the Directors present may choose one of the Board as Chairman in his stead; that the President shall vote at the Board as a Director, and in case of there being an equal number of votes for or against any question before them, the President shall have a casting vote.

Five Directors to form a Board for business.

President to have a casting vote.

IV. And be it enacted, That every Board of the Directors to be hereafter annually elected and chosen, shall and may exercise and enjoy all and singular the powers and authorities heretofore granted to or exercised and enjoyed by the Board of Directors of the said Corporation under and by virtue of the said Act of Incorporation.

Board of Directors to exercise all the powers granted under Act of Incorporation.

CAP. XXXVI.

An Act to authorize an Assessment on the Inhabitants of a part of the Parish of Saint Stephen, in the County of Charlotte, for the purpose therein mentioned.

Passed 25th March 1840.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the Justices of the Peace for the County of Charlotte, at any General Sessions of the Peace, hereafter to be holden, or the major part of them, be, and they are hereby authorized and empowered to raise by assessment the sum of one hundred pounds, for the purpose of building an Engine House, purchasing Fire Hooks, for the preservation of the Engine, and for the better extinguishing of Fires that may happen in that part of the Parish of Saint Stephen, in the said County, contained within the following limits, to wit: Commencing on the River Saint Croix, opposite or nearest to the house occupied by the late Josiah Hitchings; thence directly to the said house, thence to the house occupied by Joel Hill, including the Village of Milltown; thence directly to the said River; thence down

Justices may assess £100 for building an Engine House, purchasing fire hooks, &c.

On whom assessment to be made, and how levied.

the River following the dividing line, or centre thereof, to the place of beginning ; such assessment to be made in due proportion upon all and every person or persons who do or shall inhabit, hold, occupy, possess and enjoy any House, Shop, Mill, Warehouse, or other tenement or property liable to be consumed by fire within the said District ; such sum to be assessed, levied, collected and paid in such proportion and in the same manner as any County rates can or may be assessed, levied, collected and paid under any Act or Acts in force in this Province for assessing and levying and collecting of rates in this Province for public charges.

CAP. XXXVII.

An Act to authorize Her Majesty's Justices of the Peace of King's County to erect a Building in the said County for a Common Gaol, and to assess the Inhabitants towards defraying the expenses thereof.

Passed 25th March 1840.

Preamble.

‘ WHEREAS the Building occupied as a Court House and Gaol in King's County is found insufficient and unfit for the purposes of a Gaol, and ‘ it is expedient and necessary that a Gaol should be built separate and apart from ‘ the said Building ;’

Justices authorized to contract for building a Gaol.

I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the Justices of the Peace for King's County, at any General Sessions of the Peace hereafter to be holden, or at any Special Sessions for that purpose convened and holden, or the major part of them so assembled, be and they are hereby authorized and empowered to contract and agree with able and sufficient workmen for erecting and finishing a Building within the said County, suitable and proper for a Common Gaol, and to agree for the payment of such sum or sums of money as to them may seem meet, in order to carry the said object or purpose into effect, and in such manner and form as shall be approved of by the said Justices.

And assess for not exceeding £500.

II. And be it further enacted, That the said Justices of the Peace for the said County are hereby authorized and empowered to make a rate and assessment of any sum not exceeding five hundred pounds, as they in their discretion may deem necessary, towards defraying the expense to be incurred in erecting, building and finishing the said Common Gaol ; the said sum to be assessed, levied, collected and paid in such proportions and in the same manner as any other County rates for public charges can or may be assessed, levied, collected and paid under and by virtue of any Act or Acts which at the time of making such assessments may be in force in this Province for assessing, levying and collecting of rates for public charges.

CAP. XXXVIII.

An Act to authorize the Justices of the Peace in and for the City and County of Saint John to erect a building in the said City for a Common Gaol, and to raise a sum of money for erecting and completing the same.

Passed 25th March 1840.

Justices by themselves or a Committee of management authorized to contract for the erection of a common Gaol.

I. **BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the Justices of the Peace for the City and County of Saint John, at any General Sessions of the Peace hereafter to be holden, or at any Special Sessions to be for that purpose convened, or the major part of them so assembled, be and they are hereby authorized and empowered, by themselves, or
by

by one or more Committees of Management for that purpose to be appointed, to contract and agree with able and sufficient workmen for erecting and finishing a building within the said City, suitable and proper for a Common Gaol, for such sum and sums of money, not however exceeding in the whole the sum of five thousand pounds, and in such manner and form as shall be approved of by the said Justices.

II. And be it enacted, That the said Justices at any General Sessions of the Peace for the said City and County, be and they are hereby authorized and empowered to borrow such sums of money as may from time to time be required for the erecting and completing of the said Building, not exceeding in the whole the sum of three thousand pounds, to be paid off and discharged in manner hereinafter mentioned, the same to be taken in loans of not less than one hundred pounds, and that Certificates or Notes in the following form, or to that effect, shall be prepared and delivered to the persons from whom such loans may be obtained, to wit :

Justices authorized to borrow money not exceeding £3000.

Number —

City and County of Saint John, ss. These are to certify that (*here insert residence and addition of lender*) hath lent and advanced to the Justices of the Peace for the said City and County the sum of One Hundred Pounds, Currency, which sum is payable to him, or to his order, together with Interest at and after the rate of per centum per annum, pursuant to an Act of Assembly made and passed in the third year of the Reign of Her Majesty Queen Victoria, intituled "An Act to authorize the Justices of the Peace in and for the City and County of Saint John, to erect a building in the said City for a Common Gaol, and to raise a sum of money for erecting and completing the same." Dated the day of in the year of our Lord one thousand eight hundred and forty

Form of Notes or Certificates to be given to the lenders.

By Order of the Sessions,

A. B. *Presiding Justice.*

C. D. *Clerk.*

Which same Certificates or Notes shall be signed by the Justice presiding at the said Sessions, and countersigned by the Clerk, and shall be respectively numbered according to the time in which the same may be made and issued, and a Memorandum thereof shall be duly entered by the Clerk in the Minutes of the said Court.

III. And be it enacted, That the said Certificates or Notes shall be negotiable in the same manner as Promissory Notes, and that the holders thereof shall be entitled to receive Interest for the same annually, to be paid by the Treasurer of the said County out of the assessments hereinafter mentioned.

Certificates to be negotiable and to bear interest.

IV. And be it enacted, That it shall and may be lawful for the said Justices of the Peace of the said City and County, and they are hereby authorized and required to make a rate and assessment each and every year of such sum of money, besides the charge for assessing and collecting, as will discharge the interest of the loan contracted by virtue of this Act, until the total amount of the loan and all interest thereon heretofore obtained by virtue of the Act of Assembly made and passed in the ninth year of the Reign of His Majesty King George the Fourth, intituled "An Act to authorize the Justices of the Peace of the City and County of Saint John to raise a sum of money for completing the Court House of the said City and County," and until the total amount of the loan, and all interest thereon heretofore obtained or to be obtained by virtue of the Act of Assembly made and passed in the first year of the Reign of Her Majesty Queen Victoria, intituled

Justices to assess for the amount of interest and charges of assessing until Loans obtained under Acts 9 G. 4, c. 2, and 1 Vic. c. 16 are paid off, and £400 and charges thereafter until loan contracted under this Act be paid off.

"An

“An Act to authorize the Justices of the Peace in and for the City and County of Saint John, to establish a House of Correction for the said City and County, and to extend the provisions of two Acts of Assembly to the same,” are severally paid off and discharged : and from and after the time of payment and discharge of the total amount of such several loans so contracted by virtue of the said several Acts, it shall and may be lawful for the said Justices, and they are hereby authorized and required to make a rate and assessment not exceeding four hundred pounds in each and every succeeding year, besides the charge for assessing, and collecting, for the purpose of discharging the principal and interest of the loans contracted by virtue of this Act, until the same shall be paid off; all which said several sums of money are to be assessed, levied, collected and paid in such proportions and in the same manner as other County Rates for public charges are or may be assessed, levied, collected and paid, under and by virtue of any Act or Acts made or to be made for assessing, levying and collecting Rates for public charges.

Monies to be assessed as other County rates.

Monies after paying yearly interest to be applied in discharging the loans in order according to the numbers.

Treasurer to give public notice for calling in the Notes.

County Treasurer to receive one per cent for his services.

V. And be it enacted, That the monies so to be assessed as aforesaid shall from time to time be applied, after discharging the yearly interest due on the several loans contracted by virtue of this Act, to the payment of the principal sums mentioned in such Certificates or Notes, in due order according to the numbers, beginning with number one; and that the Treasurer of the said County shall from time to time give one months public notice, by advertisement in one of the Newspapers published in the said City, for calling in such and so many of the Certificates or Notes as he is prepared to pay off, specifying the numbers in such advertisement, and that from and after the expiration of the time mentioned in the said notice the interest on such Certificates or Notes shall cease.

VI. And be it enacted, That the County Treasurer shall be entitled to have and retain the sum of one pound per centum on every one hundred pounds, for his services in receiving and paying the said monies, so to be assessed under the provisions of this Act, and no more.

CAP. XXXIX.

An Act to amend an Act, intituled “An Act to repeal all the Laws now in force relating to Parish Schools, and to make other provisions respecting the same.”

Passed 25th March 1840.

I. **BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the sixth section of an Act made and passed in the seventh year of the Reign of His late Majesty King William the Fourth, intituled “An Act to repeal all the Acts now in force relating to Parish Schools, and to make other provisions respecting the same,” be and the same is hereby repealed; and in lieu thereof, Be it enacted, That the Justices of the Peace, at their General Sessions respectively, shall and they are hereby required, twice in each and every year, to certify in one general Schedule all such certificates of the Trustees of Schools as shall or may be laid before them at their General Sessions, under and according to the provisions of the said Act, and shall transmit the same to the Secretary of the Province; upon which Schedule there shall be allowed and paid towards the support of each School a sum of money at and after the rate of twenty pounds per year for each School taught by the Schoolmaster or Schoolmistress named in such Schedule, that is to say: For a School kept six months, pursuant to agreement as aforesaid, ten pounds; and for a School kept one year, twenty pounds;

7 W. 4, c. 8, s. 6, repealed.

Justices to certify twice in each year all the certificates of the Trustees.

An allowance at the rate of £20 per annum for each school to be drawn from the Treasury.

pounds; the same to be drawn from the Treasury of the Province, by warrant from His Excellency the Lieutenant Governor or Commander in Chief for the time being, in favor of the Trustees of Schools of the respective Parishes mentioned in such Schedule, to be applied towards the support of the said Schools according to the true intent and meaning of this Act; Provided nevertheless, That no larger sum than two hundred and sixty pounds shall be paid out of the Treasury of this Province for Schools kept in any one Parish in any one year; and provided that no County in the Province shall be entitled to receive a larger sum in any one year than would arise from an average of one hundred and eighty pounds for each and every Parish in such County; and provided also, that no more than three female Schools shall be included in any such certificate or Schedule for any one Parish: And provided also, That where the whole sum allowed for any one Parish, pursuant to this Act, is not sufficient to afford the above allowance to each and every School, by reason of the great number of Schools in the Parish, then and in such case it shall and may be lawful for the Trustees and they are hereby required to apportion the whole sum among all the Schools in the Parish, according to the nature of their respective claims, whether yearly or half yearly Schools.

Aggregate amount and number of female Schools limited.

Trustees to apportion the sum among all the Schools when the aggregate exceeds the limits.

II. And be it enacted, That this Act shall continue and be in force so long as the Act to which this Act is an amendment, and no longer.

Limitation.

CAP. XL.

An Act for enabling persons indicted of Felony to make their defence by Counsel.

Passed 25th March 1840.

‘WHEREAS it is just and reasonable that persons accused of offences against the Law should be enabled to make their full answer and defence to all that is alleged against them;

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and after the passing of this Act, all persons tried for Felonies shall be admitted, after the close of the case for the prosecution, to make full answer and defence thereto by Counsel learned in the Law, or by Attorney, in Courts where Attornies practice as Counsel.

Persons tried for Felony may make their defence by Counsel.

II. And be it further enacted, That in all cases of summary conviction, persons accused shall be admitted to make their full answer and defence, and to have all witnesses examined and cross examined by Counsel or Attorney.

In summary convictions persons accused may make their defence by Counsel.

III. And be it further enacted, That all persons who, after the passing of this Act, shall be held to bail or committed to prison for any offence against the Law, shall be entitled to require and have on demand, (from the person who shall have the lawful custody thereof, and who is hereby required to deliver the same,) copies of the examinations of the witnesses respectively upon whose depositions they have been so held to bail or committed to prison, on payment of a reasonable sum for the same, not exceeding one shilling for each folio of one hundred words: Provided always, That if such demand shall not be made before the day appointed for the commencement of the Assize or Sessions at which the trial of the person on whose behalf such demand shall be made is to take place, such person shall not be entitled to have any copy of such examination of witnesses, unless the Judge, or other person to preside at such trial, shall be of opinion that such copy may be made and delivered without delay or inconvenience to such trial; but it shall, nevertheless, be competent for such Judge, or other person so to preside at such

Copies of the examinations of witnesses to be furnished to the accused on demand, and payment.

Proviso when copies are not demanded before the day appointed for the commencement of the assize.

trial, if he shall think fit, to postpone such trial on account of such copy of the examination of witnesses not having been previously had by the party charged.

IV. And be it further enacted, That all persons under trial shall be entitled at the time of their trial to inspect, without fee or reward, all depositions (or copies thereof) which have been taken against them, and returned into the Court before which such trial shall be had.

Persons under trial entitled to inspect all depositions or copies without fee.

CAP. XLI.

An Act to alter and amend "An Act to provide for the safe keeping of the County Records," so far as regards the County of Carleton.

Passed 25th March 1840.

WHEREAS it is deemed advisable that no assessment be made upon the 'Inhabitants of the County of Carleton, for the erection of Public Buildings in that County during the present year;'

Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the operation of an Act made and passed in the fourth year of the Reign of His late Majesty King William the Fourth, intituled "An Act to provide for the safe keeping of the County Records," so far as regards the County of Carleton, be and the same is hereby suspended for one year, and any assessments, hitherto made, shall also be suspended.

4 W. 4, c. 26, so far as regards the County of Carleton suspended for one year.

CAP. XLII.

An Act to authorize Her Majesty's Justices of the Peace of the County of Gloucester to assess the said County for repairing the Public Buildings therein.

Passed 25th March 1840.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That Her Majesty's Justices of the Peace for the County of Gloucester at any General Sessions of the Peace to be hereafter holden, or at any Special Sessions of the Peace to be for that purpose convened, be and they are hereby authorized and empowered to make such rate and assessment of any sum, not exceeding one hundred pounds, as they in their discretion may think necessary for the repairing and securing of the Public Buildings in the said County, the same to be assessed, levied, collected and paid agreeably to and under and by virtue of any Act or Acts now or hereafter to be in force in this Province, for assessing, levying and collecting rates for public charges.

Justices authorized to assess £100 to repair the public buildings.

CAP. XLIII.

An Act to revive an Act, intituled "An Act to incorporate the Saint John Hotel Company."

Passed 25th March 1840.

WHEREAS the sum required in and by the ninth section of an Act made 'and passed in the sixth year of the Reign of His late Majesty King William the Fourth, intituled "An Act to incorporate the Saint John Hotel Company," to be paid in for the purposes of the said Corporation, was actually 'so paid in within the time therein mentioned and required, but the Certificate of 'such payment was omitted to be filed in the Office of the Secretary of the Province within the time for that purpose prescribed: and whereas such Certificate

6 W. 4, c. 63.

Preamble.

"is

'is now filed and remains in the said Office, and it is considered expedient to
'revive the said recited Act, and to confirm all proceedings had thereunder to
'the same extent as if such Certificate had been filed in due time;'

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That the said recited Act be and the same is hereby revived and declared to be in full force and effect, save and except the ninth Section thereof. Act 6 W. 4, c. 63, save the ninth section revived.

II. And be it enacted, That all proceedings had or professed to have been had under and by virtue of the said recited Act, shall be valid and effectual to all intents and purposes in the same manner and to the same extent as if such Certificate had been filed in the office of the Secretary of the Province within the time prescribed by the ninth Section of the said recited Act. Proceedings had under 6 W. 4, c. 63 to be valid.

CAP. XLIV.

An Act to incorporate the Saint George Lime Company.

Passed 25th March 1840.

WHEREAS a Joint Stock Company or Association hath lately been formed within this Province, which has invested considerable sums of money in the purchase of a valuable tract of Land abounding with Lime Stone at L'Etang, in the County of Charlotte, and made extensive erections and improvements for the purpose of manufacturing Lime for home consumption and exportation; and whereas it hath been deemed expedient to afford protection and encouragement to the said Association by an Act of Incorporation; Preamble.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That William Savage, Zebedee Cook, Junior, Thomas Dexter, Joshua C. Bates, Joseph Willard, Thomas Darling, Joshua Tucker, Elijah Thayer, David A. Simmons, Josiah Reid, Thomas J. Whittimore, Jonas L. Sibley and De Vere Burr, their associates, successors and assigns, shall be and they are hereby erected into a Company for the purpose mentioned in the preamble of this Act, and declared to be a body Politic and Corporate by the name of *The Saint George Lime Company*, and by that name shall have all the general powers and privileges made incident to a Corporation by Act of Assembly of this Province. The Saint George Lime Company incorporated with powers incident to corporations.

II. And be it enacted, That the first meeting of the said Corporation, shall be called by De Vere Burr, or in case of his death, neglect or refusal, by any two of the said Company, by giving fourteen days notice previous to such meeting, which shall be holden at the time and place specified in such notice. First meeting, by whom and how to be called.

III. And be it enacted, That the Capital Stock of the said Corporation shall consist of the sum of twenty five thousand pounds, to be paid in such money as shall at the time of the several payments herein after expressed be a legal tender in this Province; fifteen per cent. of the said Capital Stock to be paid in before the said Corporation shall be entitled to purchase any property real or personal, or incur any debts, and the remainder of the said Stock to be paid at such time and times, and in such parts or portions as the Directors for the time being shall from time to time think necessary, the whole amount of such Capital Stock to be divided into one thousand shares of twenty five pounds each. Capital stock to be £25,000.

IV. And be it enacted, That unless fifteen per cent. of the said Capital Stock shall be actually paid in for the purposes of the said Corporation, and a certificate of such payment made and verified on oath by the Directors of the said Corporation, or a majority of them (which oath any Justice is hereby authorized to administer), shall be filed in the office of the Secretary of the Province before the expiration of three years after the passing of this Act the operation of this Act shall Fifteen per cent to be paid in before any property be purchased or debts incurred.

Act to be void if fifteen per cent. of the capital be not invested and certificate filed within three years.

shall cease, and the existence of the said Corporation be terminated at the expiration of the said three years.

CAP. XLV.

An Act to continue the Acts relating to Highways.

Passed 25th March 1840.

5 W. 4, c. 2, and

6 W. 4, c. 2, continued.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the fifth year of the Reign of His late Majesty King William the Fourth, intituled “An Act to repeal all the Laws now in force for regulating, laying out and repairing Highways and Roads, and for appointing Commissioners and Surveyors of Highways in the several Towns and Parishes in this Province, and to make more effectual provision for the same;” and also an Act made and passed in the sixth year of the same Reign, intituled “An Act in amendment of the Act relating to Highways,” be and the same are hereby continued and declared to be in force until the first day of April which will be in the year of our Lord one thousand eight hundred and forty two.

CAP. XLVI.

7 W. 4, c. 5.

An Act to extend the provisions of the fourth Section of an Act, intituled “An Act to amend the Act to provide for the collection of the Revenue of the Province,” to Woodstock in the County of Carleton.

Passed 25th March 1840.

WHEREAS it is desirable that the Deputy Treasurer at Woodstock, ‘should under particular circumstances have power to appoint a Deputy;’

Provisions of 7 W. 4, c. 5, s. 4, extended to the Deputy Treasurer in Woodstock.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That the provisions contained in the fourth Section of an Act made and passed in seventh year of the reign of His late Majesty King William the Fourth, intituled “An Act to amend the Act to provide for the collection of the Revenue of the Province,” be extended, and the same are hereby extended to the Deputy Treasurer for the time being at Woodstock.

Limitation.

II. And be it enacted, That this Act shall continue and be in force for and during the continuance of the above recited Act.

CAP. XLVII.

An Act to repeal all the Acts regulating Tavern Keepers and Retailers, and to make other provisions in lieu thereof.

Passed 25th March 1840.

5 W. 4, c. 3.

1 Vic. c. 23,

I. **BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the fifth year of the Reign of His late Majesty King William the Fourth, intituled “An Act to regulate Tavern Keepers and Retailers,” and also an Act made and passed in the first year of the Reign of Her present Majesty Queen Victoria, intituled “An Act in addition to and in amendment of an Act, intituled, ‘An Act to regulate Tavern Keepers and Retailers,’ ” and also an Act made and passed in the second year of the Reign of Her said Majesty, intituled “An Act in further amendment of the Law relating to

to Tavern Keepers and Retailers," and also another Act made and passed in the second year of the Reign of Her said Majesty, intituled "An Act in addition to an Act, intituled 'An Act to prevent Desertion from His Majesty's Forces, and to punish unlawful dealings with Soldiers or Deserters,' " be and the same are hereby repealed; Provided always, That all licences granted under the authority of the said first mentioned Act shall continue and remain in the like force and effect as if the said Act had not been repealed, and that all rules and regulations made under and by virtue of the said Acts or either of them, shall continue and remain in full force and effect until the said licences shall have expired: and provided also, that no Inn Keeper, Tavern Keeper or Retailer, who since the passing of the first mentioned Act, hath sold upon trust or credit any wine, brandy, rum, strong beer, ale, or any other strong or spirituous liquors, to any person whomsoever, to the amount of any sum exceeding five shillings, shall have any remedy against the said person, his executors or administrators, either in law or equity, for the recovery of the same, the repeal of the first mentioned Act notwithstanding.

2 Vic. c. 39,
repealed.

Licences granted
and regulations
made under re-
pealed Acts to
continue in force.

Value of Liquors
sold upon trust
and exceeding five
shillings not
recoverable.

II. And be it further enacted, That from and after the passing of this Act no person whosoever shall directly or indirectly barter or sell any wine, spirits, strong beer, or other distilled or fermented liquors under the quantity of five gallons without licence for that purpose first had and obtained as is hereinafter provided.

No strong liquors
to be sold under
the quantity of
five gallons with-
out Licence.

III. And be it further enacted, That the Courts of General Sessions of the Peace for the several Counties in this Province, are hereby authorized and empowered to grant Retail or Tavern Licences to such and so many persons of good name, fame and character, as they in their discretion shall think fit, to keep a Tavern, or to sell wine, spirits, strong beer or other distilled or fermented liquors by retail, within their respective Counties, demanding and receiving for every such licence a sum not exceeding ten pounds nor less than three pounds; which sum shall be paid into the hands of the Clerk of the Peace of the County in which the same shall be granted, together with the sum of two shillings and six pence as a fee to the said Clerk for his trouble in issuing such licence: Provided always, That no Tavern or Retail Licence shall continue or be in force for a longer period than one year: Provided always, That nothing in this Section contained shall extend to prevent any such Court in their discretion from granting Tavern Licences for the sum of twenty shillings to any person residing in remote situations, when the same shall appear to such Court absolutely necessary for the accommodation of travellers.

Courts of General
Sessions may
grant Retail or
Tavern Licences,
receiving not less
than £3 nor more
than £10 for each.

Clerk's Fee.

Proviso for
Taverns in remote
situations.

IV. And be it further enacted, That the Clerks of the Peace of the several Counties in this Province, within one week after the end of the term of the General Sessions of the Peace during which any Retail or Tavern Licences may have been granted, shall pay over to the respective County Treasurers all such monies as had been received by such Clerks respectively, for Retail and Tavern Licences, in their several and respective Counties, towards defraying such necessary contingent expenses of the County as such Court of Sessions shall from time to time direct and order.

Monies received to
be paid over to the
County Treasurer.

V. And be it further enacted, That no Licence to keep a Tavern or Inn shall be granted to any person or persons unless he, she or they shall be of orderly, decent and sober habits, and possessing the means of comfortably entertaining travellers; and no person or persons licenced to retail wine, spirits, strong beer or other distilled or fermented liquors under the provisions of this Act, shall sell any such liquor in any quantity less than one pint, nor shall such Retailer allow or permit any such liquor so sold to be drank on the premises of such Retailer.

To whom Tavern
Licences may be
granted.

Retailers not to
sell less than one
pint nor allow it
to be drank on
their premises.

Courts of General Sessions may make regulations for Tavernkeepers and Retailers, under penalties.

Amount.
Recovery.

No Licences to be granted except at the General Sessions.

Licencee to enter into recognizance with sureties.

On complaint or other information of a breach of the regulations, the Court or two Justices may cause the offending party to be brought before them;

and compel the attendance of Witnesses in such cases, and in proceedings for the recovery of penalties.

Neglecting or refusing to attend and testify after service of Subpœna.
Penalty.

Recovery.

Selling Liquors under specified quantities without retail licence or allowing liquors to be drank on the premises.

VI. And be it further enacted, That the Courts of General Sessions of the Peace in and for the several Counties in this Province, shall and may from time to time and at all times from and after the passing of this Act, make and ordain such rules and regulations as to them may seem expedient and necessary to be observed by Tavern Keepers and Retailers in their respective Counties, under such penalty or penalties as the said Courts respectively may deem meet; such penalty to be in no case less than ten shillings nor more than five pounds, for each and every breach of such rules and regulations, to be recovered before the Court of General Sessions of the Peace, or any two of Her Majesty's Justices of the Peace of the County in which the offence may be committed, and levied and applied as is directed by the nineteenth and twenty second Sections of this Act.

VII. And be it further enacted, That no Retail or Tavern Licence shall be directly or indirectly granted in any County of this Province, unless at the Court of General Sessions of the Peace for the same; and every person on obtaining a Licence shall enter into recognizance to Her Majesty in the sum of forty pounds, with two sureties, to obey such rules and regulations as the said Court of General Sessions of the Peace shall from time to time make and ordain to be observed by Tavern Keepers and Retailers respectively in such County.

VIII. And be it further enacted, That when and so often as it shall come to the knowledge of the said Courts of General Sessions of the Peace respectively, or of any two of Her Majesty's Justices of the Peace of any County in this Province, by complaint or otherwise, that any Tavern Keeper, Inn Keeper or Retailer within the jurisdiction of the said Court or of the said Justices hath been guilty of a breach of any rule or regulation made and ordained under and by virtue of this Act, it shall and may be lawful for the said Courts of General Sessions of the Peace, or the said two Justices, to cause the offending party to be brought before them at such time as they in their discretion shall respectively appoint; and the said Courts of General Sessions of the Peace, or the said two Justices, shall and may compel the attendance of any witness or witnesses to give evidence on any proceeding to be had before them respectively against any person or persons for a breach of any rule or regulation made, or for the recovery of any penalty or penalties imposed under the authority of this Act; for which purpose the Clerk of the Peace for the County in which the said offence shall have been committed, and in which such proceeding is had, shall have full power and authority to issue Subpœnas, and the Subpœnas issuing out of the General Sessions of the Peace shall be in such form as the Court shall from time to time prescribe.

IX. And be it further enacted, That when any person having been legally served with such Subpœna, shall neglect or refuse to attend to testify and give evidence according to the exigency of the same, he or she shall be liable to a penalty not exceeding two pounds for each and every default, to be imposed by the said Court of General Sessions of the Peace, or the said two Justices, as the case may be, unless it shall be made to appear to the satisfaction of the said Court, or of the said Justices, that the party subpœnaed had good and sufficient excuse for non-attendance, which penalty shall be levied, collected and applied as is directed in the nineteenth and twenty second Sections of this Act.

X. And be it further enacted, That if any person shall directly or indirectly sell or barter any wine, spirits, strong beer or other distilled or fermented liquors whatsoever, in any quantity under five gallons without licence for that purpose first had and obtained, or if a licenced Retailer shall sell any such liquor in any quantity less than one pint, or shall allow any such liquor to be drank on the premises of such Retailer, every person so offending shall for each and every offence

offence forfeit and pay a sum not exceeding ten pounds nor less than forty shillings, to be recovered with costs of prosecution in the Court of General Sessions of the Peace for the County in which the offence shall be committed, or before any one of Her Majesty's Justices of the Peace of the same County, on the oath of one or more credible witness or witnesses, and levied, collected and applied as directed by the nineteenth and twenty second Sections of this Act.

Penalty.

Recovery.

XI. And be it further enacted, That no Licence granted by virtue of this Act shall entitle any person to keep a Tavern or Inn, or to sell any wine, spirits, strong beer or other distilled or fermented liquors by retail, in any house or place other than that for which his or her Licence had been first granted; but in case of the death or removal of any person licenced as aforesaid before the expiration of the same, it shall and may be lawful for Her Majesty's Justices of the Peace of the County at any General or Special Sessions (if they see fit,) to grant to the person succeeding to such Tavern or Retail premises, a Licence to continue and keep on the same during the residue of the term of the said Licence, provided that the person so succeeding shall enter into the like recognizance, as if he or she had originally obtained such Licence under the authority of this Act.

Taverns to be kept or liquor sold only where first kept or sold under licence.

Licences for residue of the term of a licence may be granted in cases of death or removal.

XII. And be it further enacted, That no Inn Keeper or Tavern Keeper who shall sell upon trust or credit any wine, spirits, strong beer or other distilled or fermented liquors, mixed or unmixed, to any person whosoever to any amount whatsoever shall have any remedy against the said person, his Executors or Administrators, either in law or equity for the recovery of the same; and in case any bill, bond, note, mortgages or other securities or conveyances whatsoever shall be made or executed, the consideration or any part of the consideration of which shall be proved to be for liquors sold upon trust or credit by any Inn Keeper or Tavern Keeper, the same shall be deemed and taken to be fraudulent and void in all Courts of Justice within this Province; and in case any pawn or pledge shall be left by any person or persons with any Tavern Keeper or Inn Keeper directly or indirectly as security for the payment of any sum or debt contracted in such manner, such pawn or pledge shall be deemed to be unlawfully taken and converted by such Tavern Keeper or Inn Keeper, and it shall and may be lawful for any of Her Majesty's Justices of the Peace of the County in which such pawn or pledge had been given or left, on complaint and proof of the same, to order the said pawn or pledge to be restored, and shall further convict the Inn Keeper or Tavern Keeper who may have received the same, in a penalty not exceeding five pounds, to be levied, collected and applied as is directed in and by the nineteenth and twenty second Sections of this Act.

Tavernkeepers selling upon trust not to recover more than five shillings

Securities, any part of the consideration of which, shall be proved to be for liquor sold upon trust, to be void.

Pawns or pledges to be restored.

XIII. And be it further enacted, That no Tavern Keeper or Inn Keeper shall permit or suffer any apprentice to any profession or trade, or any servant, or any person under the age of sixteen years, to sit or remain drinking in his or her house or premises, nor shall any Tavern Keeper or Inn Keeper sell or give or suffer to be given or sold to any servant or to any person under the age of sixteen years, any wine, spirits, strong beer or other distilled or fermented liquors whatever, without the order or consent of the master or mistress, parent or guardian of such servant or person under the age of sixteen years, under a penalty not exceeding five pounds, to be recovered with costs on the oath of one or more credible witness or witnesses before any one of Her Majesty's Justices of the Peace of the County where the offence had been committed, and levied, collected and applied as directed in and by the nineteenth and twenty second sections of this Act.

Permitting apprentices, servants or persons under sixteen years to remain drinking, or selling liquors to such without an order.

Penalty.

Recovery.

XIV. And be it further enacted, That no Tavern Keeper, Inn Keeper or Retailer, shall sell any wine, spirits, strong beer or other distilled or fermented liquors,

Selling liquor on Sunday.

Penalty.
Recovery.

liquors, mixed or unmixed, on the Lord's Day, commonly called Sunday, under a penalty of a sum not exceeding five pounds nor less than forty shillings for each and every offence, to be recovered upon complaint before any Justice of the Peace of the County in which the offence shall be committed, and levied and applied as directed in and by the nineteenth and twenty second sections of this Act; and if any person shall be seen on the Lord's Day, leaving the premises of any Tavern Keeper, Inn Keeper or Retailer, in a state of intoxication, such Tavern Keeper, Inn Keeper or Retailer, shall be deemed and taken to be *prima facie* liable to the penalty in this section mentioned, and shall be convicted in the same, unless he or she shall make it appear to the satisfaction of such Justice that no wine, spirits, strong beer or other distilled or fermented liquors, were on that day sold or given to such intoxicated person, directly or indirectly by such Tavern Keeper, Inn Keeper or Retailer, or by any person or persons in his or her employ.

Selling or having
in possession
liquor illegally
imported.

Penalty.

XV. And be it further enacted, That if any Tavern Keeper, Inn Keeper or Retailer shall sell, offer for sale, or have in his or her possession any wine, spirits, strong beer, brandy, rum, gin, whiskey or any other distilled or fermented liquors, knowing the same to have been illegally imported or smuggled into this Province, such Tavern Keeper, Inn Keeper or Retailer, on conviction thereof, on the oath of one or more credible witness or witnesses, before any one of Her Majesty's Justices of the Peace of the City or County in which such offence may be committed, shall forfeit and pay the sum of five pounds with costs of prosecution, to be recovered, levied and applied as directed by the nineteenth and twenty second sections of this Act, and the Licence granted to him or her shall be revoked and annulled, and he or she shall not be deemed eligible to have or receive a Tavern or Retail Licence for the space of two years thence next ensuing.

Licences of persons convicted of seducing or assisting soldiers to desert, purchasing or receiving Regimental necessaries &c. may be annulled by the Governor in Council.

On notice of annulment to be deemed an unlicensed person and disqualified from holding a licence for two years.

Harbouring articulated seamen or apprentices.

Penalty.

Nominal lists of persons licensed to be furnished

XVI. And be it further enacted, That if any Tavern Keeper, Inn Keeper or Retailer shall directly or indirectly persuade or seduce or attempt to persuade or seduce any Soldier to desert from Her Majesty's service, or shall assist any such deserter in deserting or in concealing himself from such service, or shall buy, exchange or detain, or otherwise receive any arms, clothing, caps, or other furniture or accoutrements belonging to the Queen, or any articles belonging to any Soldier or deserter, which are generally deemed Regimental necessaries according to the custom of the Army, or shall exchange, buy, or receive from any Soldier any provisions, unless by consent of the Officer commanding the Regiment or Detachment to which such Soldier may belong, it shall and may be lawful for His Excellency the Lieutenant Governor or Commander in Chief for the time being, by and with the advice and consent of Her Majesty's Executive Council to annul, abrogate and declare void, the licence of such Tavern Keeper, Inn Keeper or Retailer; and immediately on receiving notice of such annulment or abrogation, the said Tavern Keeper, Inn Keeper or Retailer, shall thenceforth be deemed and taken to be an unlicensed person to all intents, purposes, and constructions, and shall further be disqualified from having, holding, or obtaining a Tavern or Retail Licence for the space of two years from the time of such annulment, any law or usage to the contrary thereof in any wise notwithstanding.

XVII. And be it further enacted, That any Tavern Keeper, Inn Keeper or Retailer who shall be convicted of enticing, seducing, harbouring or concealing any articulated Seaman or apprentice, shall not only forfeit his or her licence, but shall be disqualified from holding a Retail or Tavern Licence for the space of one year from the time of such conviction.

XVIII. And be it further enacted, That it shall be the duty of the several Clerks

Clerks of the Peace, in their respective Counties, and they are hereby required, as soon as may be after the end of every General Sessions of the Peace at which Tavern or Retail Licences may have been granted, to transmit to the Town Clerks of the several Parishes, a nominal list of the persons licenced to keep an Inn or Tavern, or to sell wine, spirits, strong beer, or other distilled or fermented liquors by retail, in their several and respective Parishes, and it shall be the duty of such Town Clerks to make diligent enquiry in their respective Parishes, and to make known to the Clerk of the Peace or to the nearest Justice, if any person or persons be guilty, or suspected to be guilty, of any breach of or offence against the provisions of this Act, in order that such offender or offenders shall be prosecuted as this Act directs, and it shall and may be lawful for Her Majesty's Justices of the Peace of the several Counties in this Province, at their respective General Sessions of the Peace, to order such sum of money to be paid to the said Town Clerks respectively, from the funds of the County, as remuneration for the duty imposed upon them by this Section, as such Justices in their discretion may think fit.

to the Clerks of the several Parishes.

Duty of the Town Clerks.

Remuneration.

XIX. And be it further enacted, That all fines or penalties imposed by virtue of this Act, together with costs of prosecution, shall be levied by warrant of distress and sale of the offender's goods and chattels, directed to any Constable of the County within which the offence may be committed, rendering the overplus (if any) after deducting the costs and charges of such distress and sale, to the offender, and if no goods shall be found whereon to levy, it shall and may be lawful for such Constable, to commit such offender to the common Gaol or House of Correction of the said County, there to remain without bail or mainprize, the period to be specified in such warrant, not more than forty days, unless such penalty, costs and charges shall be sooner paid.

Recovery of fines or penalties.

XX. And be it further enacted, That whenever the Grand Jury serving at any of the Courts of General Sessions of the Peace in any of the Counties of this Province shall deem it necessary that any person or persons should be brought before such Grand Jury as witness or witnesses, to disclose and make known and discover any offender or offenders against the provisions of this Act, and shall present to the said Court of General Sessions the name or names of such witness or witnesses, it shall and may be lawful for such Court of General Sessions, forthwith to issue their Subpœna or Subpœnas to compel the attendance of such witness or witnesses; and the person or persons so presented, when legally served with Subpœna, on appearing, shall and may be sworn in open Court to make true answers to such questions as shall be put to them or any of them by the said Grand Jury, touching or in any way concerning any offence against the provisions of this Act, and shall immediately attend before such Grand Jury for that purpose; Provided that nothing in this Section contained, shall be construed so as to compel any witness to criminate himself.

Court may issue subpœnas to compel attendance of witnesses presented by the Grand Jury as necessary to discover offenders.

Witnesses to be sworn in open Court.

XXI. ' And whereas by the Charter of the City of Saint John, confirmed by ' Act of the General Assembly, it is among other things provided, " That the ' Mayor of the said City for the time being, and no other person whatsoever shall ' have power to give and grant Licences under the common seal of the said City, ' to such persons as he shall think fit, to licence them or any of them to keep a ' Tavern, an Inn, an Ordinary, a Victualling, or a Coffee House, or to sell Wine, ' Brandy, Rum, Strong Waters, Punch, Beer, Ale, or any excisable or strong ' liquors whatsoever, within the said City of Saint John, or the liberties or precincts ' thereof, by retail or the small measure, under the quantity of five gallons; and ' that it shall and may be lawful to and for the Mayor of the said City for the time ' being, to ask, demand and receive for every such Licence by him to be granted

Preamble.

Mayor of Saint John may charge for each licence a sum not exceeding £10.

Application.

Proviso as to Charter rights.

Penalties, &c. in this Act to apply to Tavern Keepers and Retailers in Saint John.

Act to be read at the opening of the General Sessions, and list of licenced persons delivered to the Grand Jury.

Charge to Grand Jury.

Justices to proceed on presentment.

Costs of prosecutions regulated.

Summons, convictions, executions and subpœnas to be in the form in the Schedule.

‘ as aforesaid, such sum or sums of money as he and the person to whom such
 ‘ Licence shall be given and granted shall agree for, not exceeding the sum of
 ‘ four pounds for each Licence, and all which monies as by the said Mayor shall
 ‘ be so received shall be used and applied to the public use of the Mayor, Alder-
 ‘ men and Commonalty of the said City of Saint John ;’ ” Be it enacted, That it
 shall and may be lawful to and for the Mayor of the said City for the time being
 to ask, demand and receive for every such Licence by him to be given as afore-
 said, any such sum or sums of money as he and the person to whom such Licence
 shall be given and granted shall agree for, in manner and form aforesaid, not ex-
 ceeding the sum of ten pounds for such licence, to be applied for the public use of
 the Mayor, Aldermen and Commonalty of the said City of Saint John : Provided
 always, That nothing in this Act contained shall apply, or be construed to apply
 in any manner to affect the rights and powers given by the said Charter to the
 Mayor of the said City in granting Licences to Tavern Keepers and Retailers of
 spirituous liquors, otherwise than in this Section is expressly mentioned and con-
 tained : Provided also, That all the penalties, forfeitures, pains and imprisonments
 to which Inn Keepers and Retailers are liable for any offences against the pro-
 visions of this Act, shall extend and apply to all and every Inn Keeper, Tavern
 Keeper, Retailer, Keeper of an Ordinary, Coffee House or Victualling House in
 the City of Saint John, as fully to all intents and purposes as the same extend and
 apply to Inn Keepers, Tavern Keepers or Retailers in any other part of this
 Province, any thing in this Act to the contrary notwithstanding.

XXII. And be it further enacted, That this Act shall be publicly read by the
 Clerk of the Peace at the opening of every Court of General Sessions of the Peace
 in the several Counties in this Province, and the Justices of such Courts shall at
 the same time cause a list of all the Tavern Keepers, Inn Keepers and Retailers,
 respectively, in the respective Counties to whom Licence has been granted as
 aforesaid, to be delivered to the Grand Jury at such Courts respectively ; and it
 shall be particularly given in charge to such Grand Jury to make diligent enquiry
 and presentment of all and every such person or persons as shall or may be guilty
 of any breach of or offence against this Act, and also of any breach of or offence
 against the same by any person or persons not licenced as aforesaid ; and upon
 such presentment it shall and may be lawful for the Justices of such Courts to
 proceed against such offenders in the manner herein before directed to one Justice
 to proceed for the recovery of the penalties herein before imposed, and upon con-
 viction of such offender before the Justices of such Court, such penalty and
 penalties, as also all other penalties in and by this Act imposed, shall upon the
 recovery thereof be paid to the respective County Treasurers, to be applied to the
 same uses and purposes, and under the same orders and directions as the sums of
 money paid for Licences are herein before directed to be applied and subject to.

XXIII. And be it further enacted, That the costs of prosecutions under this
 Act had before a single Justice of the Peace or before two Justices, shall be regu-
 lated by the Table of Fees allowed and established by any Law now in force or
 hereafter to be enacted, regulating proceedings before Justices of the Peace in
 Civil Suits ; and the costs of all prosecutions had before Her Majesty’s Justices of
 the Peace in General Sessions, shall be regulated by the Ordinance of Fees
 established in this Province.

XXIV. And be it further enacted, That the summons, convictions, executions
 and subpœnas issued and made by any Justice of the Peace for offences against
 the provisions of this Act, may be in the forms in the Schedule to this Act, and
 when the proceedings are had before the Justices in General Sessions the same
 forms

forms may be adopted, as nearly as may be, the summons, subpœnas and executions being under the seal of such Court and signed by the Clerk.

XXV. And be it further enacted, That this Act shall continue and be in force until the first day of April which will be in the year of our Lord one thousand eight hundred and forty five. Limitation.

SCHEDULE.

Form of Summons.

to wit: To any Constable of the County of
Whereas complaint hath been made before me that A. B. of hath sold Form of Summons.
spirituous liquors under the quantity of five gallons, without a Licence first had
and obtained for that purpose (*or* hath sold liquor on Sunday, *as the case may be*)
contrary to the directions of the Act of the General Assembly in such case made
and provided, these are therefore to require you forthwith to summon the said
A. B. to appear before me at my office in on the day of
 at the hour of o'clock in the forenoon, to answer the matter of
such complaint, and further to be dealt with according to Law. Given under my
hand this day of 184

C. D. J. P.

Form of Subpœna.

To You are required to appear before me at my office in Subpœna.
on the day of at the hour of o'clock in the fore-
noon, to give evidence on the part of our Sovereign Lady the Queen, against
for [*here state the offence*] and then and there to be tried, and take notice
that in case you neglect or refuse to appear and testify, you will be liable to a
penalty of a sum not exceeding forty shillings, according to the form of the Act
of the General Assembly in such case made and provided. Dated the
day of 184

C. D. J. P.

Form of Conviction.

County of to wit: Be it remèbered that on this day of Conviction.
 184, at in the said County of A. B. of in the
County of is convicted before me, one of Her Majesty's Justices of the
Peace in and for the said County, for that the said A. B. did on the day
of 184 [*here state the offence*] contrary to the provisions of the Act of the
General Assembly in such case made and provided, and I the said Justice adjudge
the said A. B. for said offence to pay a fine of and also for costs
of prosecution. Given under my hand the day and year aforesaid.

C. D. J. P.

Form of Execution.

County of to wit: To any Constable of the said County of
Whereas A. B. of was duly convicted before me and adjudged to pay a Execution.
fine of together with costs of prosecution for an offence against
 the

the Act of the General Assembly regulating Tavern Keepers, Inn Keepers and Retailers; these are therefore to require you to levy the said fine and costs of prosecution, besides your own fees, on the goods, chattels and effects of the said A. B. within this County, and for want of such goods and chattels whereon to levy, you take the said A. B. and him commit to the Common Gaol or the House of Correction of the said County, the Gaoler of which is hereby required to receive the said A. B. into custody, and him detain for the period of days unless such fine and costs be sooner paid. Given under my hand this day of 184

C. D. J. P.

CAP. XLVIII.

An Act to regulate the Assize of Bread in the Parish of Woodstock, in the County of Carleton.

Passed 25th March 1840.

Preamble.

‘**W**HEREAS it is found necessary that there should be a law to regulate the Assize of Bread, in the Parish of Woodstock, in the County of Carleton;’

Justices may regulate an assize of bread for the Parish of Woodstock

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That the Justices of the Peace for the County of Carleton, be and they are hereby authorized and empowered, from time to time to make such rules and regulations, for ascertaining and establishing the Assize of Bread and the sale thereof, for the said Parish of Woodstock, as they or the major part of them, in any General Sessions or at any Special Sessions to be held for that purpose, shall deem just and expedient, and to enforce such rules and regulations, under such fines as they or the major part of them shall think fit: Provided always, That no fine for any offence shall exceed the sum of forty shillings.

and impose fines not exceeding 40s.

Clerk of the Market upon complaint made to inspect bake houses and shops where bread is sold.

II. And be it further enacted, That the Clerk of the Market for the said Parish of Woodstock, is hereby authorized and empowered, whenever he shall judge it necessary, and it shall be his duty at all times when complaint shall be made to him, to enter and go into any Bakehouse within the Parish for which he shall be so appointed (in the day time) where bread shall be manufactured for sale; and in case he shall find any bread to be of less weight than the regulated Assize to be established as aforesaid, it shall be his duty, and he is hereby enjoined and required, to seize all bread he shall so find deficient in weight, and to deliver the same to the Overseers of the Poor or to any of them for the Parish in which such bread shall be seized, for the use of the Poor of such Parish; and such Clerk of the Market shall have like power to seize and dispose of as above directed, any bread that may be found deficient in weight in any Cart, Sled or other Vehicle in which the same may be carried about for delivery or sale.

Light Bread to be seized.

Penalty for neglect of duty.

III. And be it further enacted, That the said Clerk of the Market shall forfeit for any neglect of duty imposed on him by virtue of this Act, the sum of ten shillings.

Recovery and application of fines and penalties.

IV. And be it further enacted, That the several fines and penalties imposed by this Act, shall be recovered upon the oath of one or more credible witness or witnesses before any one of Her Majesty's Justices of the Peace in the said County, and levied by distress and sale of the offender's goods and chattels, rendering the overplus (if any) after deducting the costs and charges of such prosecution and sale to such offender, and shall be applied, one half to the person who shall sue for the same, and the other half to the use of the Poor of the said Parish.

Limitation.

V. And be it further enacted, That this Act shall continue and be in force for five years and no longer.

CAP.

CAP. XLIX.

An Act to authorize the Justices of the Peace for Queen's County, to lease a certain Lot of Land in the Town Plat of Gagetown.

Passed 25th March 1840.

6 WHEREAS the Justices of the Peace for Queen's County, by a Grant or Preamble.
 ' Letters Patent bearing date the first day of July in the year of our
 ' Lord one thousand eight hundred and nineteen, and in the fifty ninth year of
 ' the Reign of His Majesty King George the Third, were invested with a certain
 ' piece or parcel of land, situate in the Town Plat of Gagetown, the same having
 ' been granted to the said Justices "in trust for the use of the said County, as a
 ' site for the public Gaol and Court House of said County and accommodation
 ' thereof:" And whereas the said Justices have since deemed it advisable to erect
 ' a new Court House on other Lands situate, lying and being in Gagetown afore-
 ' said, and granted to the said Justices: And whereas the Lands first mentioned
 ' can be made more beneficial to the said County, by leasing the same for other
 ' uses ;'

Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and after the passing of this Act, the Justices of the Peace of the said County, for the time being, and their successors, shall have power and authority, and they are hereby authorized and empowered to lease the said Lot, piece or parcel of Land, in such manner as they in their discretion may deem meet and expedient, instead of applying the same to the particular use intended and expressed by the said Grant as aforesaid, and that all and every the monies arising therefrom, be applied to the general uses and benefit of the said County.

Justices authorized to lease the described piece of land, according to their discretion.

Monies to be for the benefit of the County.

CAP. L.

An Act to amend the Act to make provision for the payment of a portion of the expenses of maintaining certain Light Houses and Establishments in the Gulf of Saint Lawrence.

Passed 25th March 1840.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the eighth Section of an Act made and passed in the seventh year of the Reign of His late Majesty King William the Fourth, intituled "An Act to make provision for the payment of a portion of the expenses of maintaining certain Light Houses and Establishments in the Gulf of Saint Lawrence," be and the same is hereby repealed.

7 W. 4, c. 34, s. 8, repealed.

CAP. LI.

An Act to declare the Law with regard to Commissions for taking Affidavits to be read in the Supreme Court.

Passed 25th March 1840.

6 WHEREAS the Chief Justice and Justices of the Supreme Court in this Preamble.
 ' Province, under and by virtue of an Act of Parliament made and
 ' passed in the twenty ninth year of the Reign of King Charles the Second, inti-
 ' tuled "An Act for taking Affidavits in the Country to be made use of in the
 ' Courts of King's Bench, Common Pleas and Exchequer," have been accustomed
 ' by Commissions under the Seal of the said Court to empower persons to take
 ' Affidavits to be read in the said Court, and in many instances such Commissions
 ' have

29 Char. 2.

Commissions issued under 29 Char 2, to be valid, although not confined to one County.

Commissions may be issued either with limitation or without.

' have been general and not confined to any one County, and doubts are entertained whether such general Commissions are authorized by the said Act of Parliament ;' Be it declared and enacted by the Lieutenant Governor, Legislative Council and Assembly, That all Commissions heretofore made by the said Chief Justice and Justices, under and by virtue of the said Act of Parliament, shall be good and valid, notwithstanding any such Commission be general and not confined to any one County.

II. And be it declared and enacted, That hereafter it shall and may be lawful for the said Chief Justice and Justices to make and issue Commissions under the said Act of Parliament, either with limitation to any one or more Counties in the Province, or without any such limitation, as to them in their discretion may seem meet.

CAP. LII.

An Act for ascertaining the Population of this Province.

Passed 25th March 1840.

Justices to appoint fit persons in each Parish to take an account of the population.

Persons appointed to be subject to the same regulations and penalties as other Parish Officers.

Corporation of Saint John to appoint persons for the City.

Account to be taken as hereinafter directed.

This Act to be sent to the Clerks of the Peace and by them to the Justices.

I. **BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the Justices of the Peace in the several Counties in this Province shall and may, and they are hereby required at their first General Sessions to be holden after the receipt of this Act by the Clerk of the Peace for the County as hereinafter provided, or at any Special Sessions to be for that purpose expressly convened, to appoint such and so many fit person or persons within each Town or Parish within their respective Counties, as they shall think expedient to take an account of the Population thereof, in manner hereinafter directed; and if more than one person shall be so appointed for any Town or Parish, then to divide such Town or Parish into convenient districts, assigning to each person so appointed to take such account in his particular district; which persons so appointed to take such account, shall be liable in all respects to the same rules and regulations, penalties and forfeitures, as Town or Parish Officers are subject and liable to by virtue of any Law in force for the appointment and regulation of Town or Parish Officers: Provided that the Mayor, Aldermen and Commonalty of the City of Saint John in Common Council convened, shall as soon as conveniently may be after the passing of this Act, appoint such and so many fit person or persons as to them shall seem meet to take such account within the said City, in like manner with the Justices of the Peace for the several Counties at their General or Special Sessions as aforesaid.

II. And be it enacted, That the persons so appointed as aforesaid shall, at the times and in the manner hereinafter directed, severally take an account of the number of persons who shall be actually found at the time of taking such account within the limits of the Parish, City or District for which they may be respectively appointed, and shall set down the several particulars respecting the same, according to the form prescribed in the Schedule annexed to this Act.

III. And for the more speedy and effectual obtaining of such accounts, Be it further enacted, That a sufficient number of printed copies of this Act, and of the Schedule thereto, (such number to be regulated and determined by order of His Excellency the Lieutenant Governor or Commander in Chief for the time being,) shall on or before the first day of May next, after the passing of this Act, be transmitted by the Queen's Printer to the Clerks of the Peace in the several Counties, and the said several Clerks of the Peace shall, and they are hereby required with all convenient speed, to cause the said Act to be distributed among the

the Justices of the Peace in the several Counties, so that at least one Justice in each Parish may be furnished with one of the said printed copies of the said Act, and also to cause two of the said printed Schedules to be delivered to each person appointed as aforesaid to take the account required by this Act, within the said several and respective Counties.

Two printed Schedules to be delivered to persons appointed to take account.

IV. And be it enacted, That the persons so appointed to take such accounts as aforesaid shall with all convenient expedition, after receiving such Schedules, and within such time as will enable them to deliver or transmit their respective answers and returns to the Clerks of the Peace by the day hereinafter limited for that purpose, proceed to take an account in writing of the number of persons at the time of taking such account, being within the limits of the Parish, City or District for which they may be respectively appointed as aforesaid, and inform themselves of the several particulars relating to the matters specified in the questions contained in the said Schedules, by proceeding from house to house, or otherwise as they shall judge expedient, for the better execution of this Act; and from such information and lists shall prepare duplicate answers or returns to the said questions according to the forms prescribed in the said Schedules, and shall sign and make oath to the same before a Justice of the Peace of the County, according to the said forms, which oath any such Justice is hereby authorized and required to administer; and the better to enable such persons so appointed as aforesaid to make such answers and returns, they are hereby severally and respectively authorized and empowered to ask all such questions of the persons within the Parish, City or District for which they may be respectively appointed as aforesaid, respecting themselves and the number and quality of the persons constituting their respective families, as shall be necessary for stating the particulars required to be stated concerning them in the said answers and returns; and every person refusing to answer or wilfully giving a false answer to such questions or any of them, shall for every such refusal or false answer forfeit a sum not exceeding three pounds nor less than twenty shillings, at the discretion of the Justice before whom complaint thereof shall be made; and the said persons so appointed as aforesaid to take such accounts, shall deliver or transmit their several and respective answers and returns in duplicate as aforesaid, to the Clerks of the Peace for the several and respective Counties, on or before the first day of December next after the passing of this Act.

Persons appointed to inform themselves by going from house to house, or otherwise,

and prepare duplicate answers and returns under oath.

Penalty for refusing to answer or giving a false answer.

V. And be it enacted, That the several Clerks of the Peace shall on or before the tenth day of December next after the passing of this Act, transmit one copy of such answers and returns as they shall have received in manner aforesaid, together with a list of the Parishes, Districts or places within their respective Counties, from which no returns may have been received, to the office of the Secretary of the Province, and shall place and keep the other copy of such answers and returns on file in their offices respectively; and the answers and returns which shall be so transmitted to the office of the Secretary of the Province shall be digested and reduced into order by such officer or person as the Lieutenant Governor or Commander in Chief for the time being shall appoint for that purpose, and abstract thereof shall be laid before the General Assembly at their next Session.

Clerks of the Peace to transmit one of the returns with a list of places from which no returns have been received to the Secretary's office and file the other copy.

Returns to be digested and laid before the General Assembly.

VI. And be it enacted, That there shall be allowed and paid out of the Province Treasury, to each Clerk of the Peace for the services required of him by this Act, the sum of ten pounds, and to each and every person appointed and employed under this Act to take such account as aforesaid, who shall make and transmit to the Clerk of the Peace of the County, by the day hereinbefore limited for that purpose, due answers and returns according to the Schedule to this Act annexed,

Remuneration to Clerks of the Peace and persons appointed to take the accounts.

annexed, the sum of seven shillings and six pence for each and every day that such person shall make it appear to the Justices of the Peace for the several Counties, at the General Sessions, that he has been actually employed in the services required of him by this Act; the number of days to be certified by the said Justices at their General Sessions to the Lieutenant Governor or Commander in Chief for the time being; which said sums in this Section mentioned shall be paid out of any monies in the Province Treasury, by Warrant of the Lieutenant Governor or Commander in Chief for the time being, by and with the advice and consent of Her Majesty's Executive Council, in favor of the Clerk of the Peace, to be by him paid to the respective persons entitled to the same without any deduction whatever.

Penalty for neglect
of duty by persons
appointed to take
accounts.

VII. And be it enacted, That any person appointed under this Act to take such account as aforesaid, who shall refuse or neglect to perform any of the duties required of him by this Act, shall for each and every such refusal or neglect, forfeit and pay a sum not exceeding five pounds nor less than forty shillings, at the discretion of the Justice before whom complaint shall be made.

Recovery and ap-
plication of pe-
nalties.

VIII. And be it enacted, That the several and respective forfeitures and penalties herein before mentioned shall and may be recovered upon complaint made before any Justice of the Peace for the County where the offence may be committed, upon the oath of one or more credible witness or witnessess, and be levied by distress and sale of the good and chattels of the offender, rendering the overplus (if any) after deducting the costs and charges of prosecution and sale to such offender, and to be applied one half to the use of the person who shall sue for the same, and the other half to the use of the Poor of the Parish where the offence may be committed.

SCHEDULE.

Schedule.

Questions, to which by directions of an Act of Assembly passed in the third year of the Reign of Her Majesty Queen Victoria, intituled "An Act for taking an account of the Population of this Province," written answers in duplicate are to be returned by the persons appointed, under and by virtue of the said Act, to take such account, signed and attested upon oath by such persons respectively:—

First.—How many inhabited houses are there in your City, Parish or District, and by how many families are they inhabited?

Secondly.—How many houses are now building, and therefore not yet inhabited?

Thirdly.—How many other houses are uninhabited?

Fourthly.—How many persons (including children of whatever age) are there actually found within the limits of your City, Parish or District, at the time of taking this account, distinguishing males and females, and persons above and under sixteen years of age, and people of colour, and exclusive of men actually serving in Her Majesty's Regular Forces, and of Seamen either in Her Majesty's Service or belonging to registered vessels, and native Indians?

Fifthly.—How many places of Worship in your City, Parish or District, and the particular denomination to which they belong?

Sixthly.—How many Grist Mills?

Seventhly.—How many Saw Mills?

Eighthly.—What is the estimated quantity of cultivated or cleared land.

Ninthly.—How many Horses?

Tenthly.—How many Neat Cattle?

Eleventhly.—How many Sheep?

Twelfthly.—How many Swine?

Thirteenthly.—Are there any other matters which you think it necessary to remark in explanation of your answers to any of the preceding questions?

Form of Answer contained in the Schedule to an Act of Assembly, Third Victoria, intituled "An Act for ascertaining the Population of this Province."

Name and description of Parish or City, or District in such Parish or City, and within what County situate.	Question 1st.	Question 2d.	Question 3d.	Question 4th. Persons, including Children of whatever age.						Places of Worship.	Mills.	Cleared Land.	Stock.										
				Whites.		People of Colour.																	
	Inhabited Houses.			Males above 16 years of age.	Females above 16 years of age.	Males under 16 years of age.	Females under 16 years of age.	Males above 16 years of age.	Females above 16 years of age.	Total of Persons.	Church of England.	Presbyterian.	Methodist.	Baptist.	Roman Catholic.	Other Denominations.	Grist.	Saw.	Estimated Quantity.	Horses.	Neat Cattle.	Sheep.	Swine.
	By how many Families inhabited.	Houses now Building.	Other Houses uninhabited.																				

N. B. If any Family occupy two or more Houses in different Parishes or Districts, the individuals belonging to each Family are to be numbered only in those Parishes or Districts where they severally happen to be at the time of taking the account.

Question.—Are there any other matters which you think it necessary to remark, in explanation of your answers to any of the preceding questions?

I, A. B. the person appointed to take an account of the Population for (*City, Parish or District,*) in the County of _____, do swear that the above Return contains, to the best of my knowledge and belief, full and true answers to the Questions contained in the Schedule to an Act, intituled "An Act for ascertaining the Population of this Province."

The above mentioned A. B. sworn this _____ day of _____, before me.
C. D, Justice of the Peace for the County of _____.

CAP. LIII.

An Act to prevent the destruction of Oysters in the Harbours of the Counties of Westmorland and Kent.

Passed 25th March 1840.

Oysters not to be exported under penalty of 40s.

I. **BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That it shall not be lawful for any person or persons to take any Oysters in any of the Bays or Harbours in the Counties of Westmorland and Kent, for the purpose of being put on board of any Vessel for exportation out of the Province, under the penalty of forty shillings for each and every offence.

Shells, rubbish, &c. raked up, to be returned into the water.

II. And be it further enacted, That all and every person or persons taking Oysters with Rakes, or otherwise, shall immediately convey and return all shells, stones, or rubbish they may rake up into the water; and if any person or persons shall not convey and return into the water such shells, stones or rubbish within the space of two hours, every person so neglecting shall for every offence incur the penalty of twenty shillings.

Penalty.

Recovery and application of penalties.

III. And be it further enacted, That the aforesaid penalties, and every of them, shall and may be sued for in an action or actions of debt, in a summary way before any one of Her Majesty's Justices of the Peace in the said Counties respectively where the offence shall be committed, and when recovered, one half of such penalty shall be to the use of the person suing and prosecuting for the same, and the other half to the use of the Poor of the Parish where the offence may be committed, and paid over accordingly.

Limitation,

IV. And be it further enacted, That this Act shall continue and be in force for two years.

CAP. LIV.

An Act in addition to the Act providing for the greater safety of Passengers on board Steam Boats.

Passed 25th March 1840.

No steam vessel to ply by sea with passengers without fire buckets and life preservers on board.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and after the passing of this Act no British Boat or Vessel propelled by Steam shall be permitted by the Captain or Owner to depart from any Port or place within this Province, to any other Port or place either within or without the Province by sea with Passengers on board, without having on board in some convenient place not less than twenty four fire Buckets, and also the following number of Life Preservers, that is to say, for a Vessel not exceeding one hundred tons burden, fifty; for a Vessel exceeding one hundred and not exceeding two hundred tons, seventy five; and for a Vessel exceeding two hundred tons, one hundred.

Penalty.

Recovery and application.

II. And be it enacted, That if any such Master or Owner shall permit any such Vessel to depart from any Port or place within this Province as aforesaid, without having on board such number of fire Buckets and Life Preservers in good serviceable condition, he shall forfeit the sum of fifty pounds for each and every time such Vessel may so depart without being so provided, to be recovered, levied and applied as is prescribed in and by the third Section of an Act made and passed in the eighth year of the Reign of His late Majesty King William the Fourth, intituled "An Act to provide for the greater safety of Passengers on board of Steam Boats."

Inspectors to go on board and report offenders to

III. And be it enacted, That any one of the Commissioners to be appointed by the Act of which this is an amendment, are hereby required and directed, respectively

respectively to go on board, as often as need be, any such Steam Vessel, and in the event of any such Steam Vessel departing or navigating without being equipped as is prescribed by the first Section of this Act, it shall be the duty of such Commissioners, respectively to report the same to the Lieutenant Governor or Commander in Chief for the time being, in order that the party or parties so offending may be proceeded against in the manner prescribed by the said third Section of the Act to which this is an amendment.

the Lieutenant Governor.

IV. And be it enacted, That this Act shall continue and be in force during the continuance of an Act made and passed in the eighth year of the Reign of His late Majesty King William the Fourth, intituled "An Act to provide for the greater safety of Passengers on board of Steam Boats."

Limitation.

8 W. 4, c. 7.

CAP. LV.

An Act to continue an Act for the better regulation of the Office of Sheriff in this Province.

Passed 25th March 1840.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the sixth year of the Reign of His late Majesty King William the Fourth, intituled "An Act for the better regulation of the Office of Sheriff in this Province," be and the same is hereby continued and declared to be in force until the first day of April which will be in the year of our Lord one thousand eight hundred and forty five.

6 W. 4, c. 1, continued.

CAP. LVI.

An Act in addition to the Acts now in force relating to Commissioners of Sewers.

Passed 25th March 1840.

WHEREAS the Acts now in force relating to Commissioners of Sewers 'have been found deficient where the work contemplated extends to 'two or more Parishes ;'

Preamble.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That upon application of any proprietors of any marsh, low lands, meadow, or other unreclaimed lands, which may lie in two or more Parishes, and in the reclaiming, draining or enclosing of which two or more Parishes may be interested, the Governor or Commander in Chief, with the advice of Her Majesty's Executive Council, may and is hereby authorized, by Commission, to appoint such able and discreet persons as to him shall seem meet, to be Special Commissioners for the purpose of superintending any such work in which two or more Parishes may be so interested ; and such Commissioners, when so appointed, shall possess all the powers, and be subject to the same duties, and be liable to similar penalties in case of neglect thereof, and shall receive the same compensation for their services, as Commissioners of Sewers possess, enjoy, and are made subject to, by an Act made and passed in the Session of the General Assembly holden in the tenth and eleventh years of the Reign of His Majesty King George the Fourth, intituled "An Act to repeal certain Acts relating to Commissioners of Sewers, and to make more effectual provisions in lieu thereof," and also by an Act made and passed in the fourth year of the Reign of His late Majesty King William the Fourth, intituled "An Act to amend an Act, intituled 'An Act to repeal certain Acts relating to Commissioners of Sewers, and to make more effectual provisions in lieu thereof.'"

Special Commissioners to be appointed on application of proprietors where lands to be reclaimed, &c. lie in two or more Parishes.

Powers, duties, penalties for neglect, and compensation, to be the same as other Commissioners of Sewers.

II,

Special Commissioners to supersede the ordinary Commissioners only so far as two or more Parishes may be interested in the work.

Collectors may distrain within any part of the County within which they are appointed.

II. And be it enacted, That the Commissioners appointed under and by virtue of this Act, for the purpose of superintending any work in which two or more Parishes may be so interested, shall, so far as relates to such work, but no further, supersede the powers and controul of the several Boards of Commissioners of Sewers in any such Parishes.

III. 'Whereas doubts have arisen whether Collectors appointed pursuant to the provisions of the Act mentioned in the first Section of this Act have power to distrain in any part of the County, beyond the District or place for which the Commissioners of Sewers appointing such Collectors may be appointed: Be it therefore enacted and declared, That any such Collector may distrain, pursuant to the directions of the said recited Act, within any part of the County within which such Collector may be appointed, whether within or beyond the District or Parish for which the Commissioners of Sewers appointing him may be appointed, any law or usage to the contrary notwithstanding.

CAP. LVII.

An Act in amendment of an Act, intituled "An Act imposing Duties for raising a Revenue."

Passed 31st March 1840.

Preamble.

WE, Her Majesty's dutiful and loyal subjects, the Assembly of New Brunswick, in General Assembly convened, for raising further Supplies to defray the expenses of Her Majesty's Government within this Province, have freely and voluntarily resolved to give and grant to the Queen's Most Excellent Majesty the rate and duty hereinafter mentioned, and do therefore pray Your Excellency that it may be enacted;

A duty on foreign wheat flour imported from Nova Scotia, granted to Her Majesty.

I. And be it enacted by His Excellency the Lieutenant Governor, by and with the advice and consent of the Legislative Council and Assembly, and by the authority of the same, that from and after the passing of this Act, there be and is hereby granted to the Queen's Most Excellent Majesty, Her Heirs and Successors, for the use of this Province, and for the support of the Government thereof, the rate and duty hereinafter mentioned, on all foreign Wheat Flour imported into this Province, either by Sea, by Inland Navigation or by Land, from any part of the Province of Nova Scotia, that is to say, for and upon every Barrel of Foreign Wheat Flour of one hundred and ninety six pounds weight, the sum of five shillings and ten pence per Barrel.

Act may be suspended by the Governor in Council.

II. And be it enacted, That His Excellency the Lieutenant Governor or Commander in Chief for the time being, be and he is hereby authorized and empowered, by and with the advice and consent of Her Majesty's Executive Council, to suspend the operation of this Act at any time during its continuance.

Limitation.

III. And be it enacted, That this Act shall continue and be in force until the first day of April which will be in the year of our Lord one thousand eight hundred and forty one.

CAP. LVIII.

An Act to appropriate a part of the Public Revenue to the payment of the Ordinary Services of the Province.

Passed 31st March 1840.

I. **BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That there be allowed and paid out of the Treasury of the Province, for the services hereinafter mentioned, the following sums, to wit: To

To the Chaplain of the Legislative Council in General Assembly the sum of twenty five pounds. Chaplains.

To the Chaplain of the House of Assembly the sum of twenty five pounds.

To the Sergeant at Arms attending the Legislative Council in General Assembly, the sum of twenty shillings *per diem* during the present Session. Sergeants at Arms.

To the Sergeant at Arms attending the House of Assembly, the sum of twenty shillings *per diem* during the present Session.

To the Clerk of the Legislative Council in General Assembly, the sum of two hundred pounds for his services during the present Session. Clerks of Legislative Council and Assembly.

To the Clerk of the House of Assembly the sum of two hundred pounds for his services during the present Session.

To the Clerk Assistant of the Legislative Council in General Assembly, the sum of one hundred pounds for his services during the present Session. Clerks' Assistants.

To the Clerk Assistant of the House of Assembly, the sum of one hundred pounds for his services during the present Session.

To the Doorkeepers attending the Legislative Council and Assembly, the sum of twelve shillings and sixpence *per diem* each, during the present Session. Doorkeepers.

To the Messengers attending the Legislative Council and Assembly, the sum of ten shillings *per diem* each, during the present Session. Messengers.

To Beverley Robinson, Esquire, Province Treasurer, the sum of six hundred pounds for his services for the year one thousand eight hundred and thirty nine ; and the further sum of two hundred and fifty pounds to enable him to pay a Clerk for the same period. Province Treasurer.
Clerk.

To His Excellency the Lieutenant Governor or Commander in Chief, a sum not exceeding seven thousand pounds for the encouragement of Parish Schools, agreeably to a Law of this Province. Parish Schools.

To the Commissioners of Light Houses in the Bay of Fundy, the following sums to pay for services for the year one thousand eight hundred and forty :— Light Houses.

For the Keeper of the Light House on Gannet Rock, and his assistant, the sum of one hundred and sixty five pounds ;

For the Keeper of the Light House on Point Leproe, the sum of one hundred pounds ;

For the Keeper of the Light House on Thrumb Cap, Quaco, the sum one hundred pounds ;

The sum of six hundred pounds to defray the contingent expenses of Gannet Rock, Point Leproe and Quaco Light Houses, for the year one thousand eight hundred and forty ;

To the Keeper of the Light House on Partridge Island, the sum of one hundred pounds ;

To the Keeper of the Beacon Light, the sum of one hundred pounds ;

The sum of two hundred and fifty pounds for the contingent expenses of Light Houses at the entrance of the Harbour of Saint John.

To the Commissioners of Machias, Seal Island, Campo Bello, and Saint Andrews Harbour Light Houses, the following sums to pay for services for the year one thousand eight hundred and forty :

To the Keeper of the Light House on Campo Bello, the sum of one hundred and twenty pounds ;

To the Keeper of the Light House on Machias, Seal Island, the sum of one hundred and thirty pounds ;

For the Keeper of the Light House in the Harbour of Saint Andrews, the sum of thirty pounds ;

The

Light Houses,
continued.

The sum of five hundred and fifty pounds to defray the contingent expenses of the said Light Houses for the year one thousand eight hundred and forty.

Apprehension of
Deserters.

To His Excellency the Lieutenant Governor or Commander in Chief, a sum not exceeding one hundred pounds to be applied in rewarding persons for apprehending Deserters from Her Majesty's Land Forces within this Province: Provided always, that no greater sum than five pounds be paid for the apprehension of any one Deserter.

J. Abrams, Tide
Waiter, St. John.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of ninety one pounds ten shillings to enable the Province Treasurer to pay John Abrams for his services as Tide Waiter at Saint John, for the year one thousand eight hundred and forty.

Master in Chan-
cery.

To the Master in Chancery appointed to carry Messages from the Legislative Council to the House of Assembly, the sum of fifty pounds.

David Jack.

To David Jack, late Tide Surveyor at Saint Andrews, the sum of one hundred pounds for his services from the first day of April to the first day of December, one thousand eight hundred and thirty nine.

Tide Surveyor,
Miramichi.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of seventy five pounds for the services of a Tide Surveyor at Miramichi, for the year one thousand eight hundred and forty.

B. C. Chaloner,
Tide Surveyor,
Saint John.

To B. C. Chaloner, Tide Surveyor at Saint John, the sum of fifty pounds for his services from the first day of May one thousand eight hundred and thirty nine, to the first day of May one thousand eight hundred and forty.

Courier between
Pokemouche and
Bathurst, *via*
Shippegan.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of fifty pounds, in aid of individual subscription, to pay a Courier between Pokemouche and Bathurst, *via* Shippegan, in the County of Gloucester.

Courier between
Gagetown and
Nerepis.

To the Justices of the Peace for Queen's County, the sum of thirty pounds to enable them to pay a Courier between Gagetown and Nerepis for the year one thousand eight hundred and forty.

Messenger to
the Treasury.

To Beverley Robinson, Esquire, Province Treasurer, the sum of one hundred and fifty pounds, being for the services of a Tide Waiter or Messenger to the Treasury for the year one thousand eight hundred and forty.

Protection of
Revenue.

To His Excellency the Lieutenant Governor or Commander in Chief, a sum not exceeding seven hundred and fifty pounds, to defray any expenses that may be incurred in the protection of the Provincial Revenue for the year one thousand eight hundred and forty.

Courier between
Harvey to Great
Road.

To the Justices of the Peace for the County of Westmorland, the sum of fifty pounds, to enable them to pay a Courier passing between Harvey and the Great Road leading from Dorchester to Saint John.

W. Watts.

To William Watts, the sum of ten pounds for airing and taking care of the Province Hall.

Light Houses on
Cape Sable, Seal
Island, and Brier
Island.

To the Commissioners of Light Houses in the Bay of Fundy, the sum of two hundred pounds to be applied by them towards the support of Cape Sable Seal Island Light House; and also one hundred pounds towards the support of the Light House on Brier Island, in the Province of Nova Scotia, for the year one thousand eight hundred and forty.

Courier between
Pokemouche and
Miramichi.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of fifty pounds, in aid of individual subscription, to pay a Courier between Pokemouche and Miramichi, in the Counties of Northumberland and Gloucester.

Destruction of
Bears and Wolves.

To His Excellency the Lieutenant Governor or Commander in Chief, a sum not exceeding three hundred pounds to encourage the destruction of Bears and Wolves, agreeably to Laws of this Province.

To His Excellency the Lieutenant Governor or Commander in Chief, the following sums for Grammar Schools for the year one thousand eight hundred and forty :

Grammar
Schools.

For the Grammar School in the County of Westmorland, the sum of one hundred pounds ;

For the Grammar School in Saint John, the sum of one hundred and fifty pounds ;

For the Grammar School in King's County, the sum of one hundred pounds ;

For the Grammar School in the County of Kent, the sum of one hundred pounds ;

For the Grammar School in Queen's County, the sum of one hundred pounds ;

For the Grammar School in the County of Charlotte, the sum of one hundred pounds ;

For the Grammar School in the County of Sunbury, the sum of one hundred pounds ;

For the Grammar School in Northumberland County, the sum of one hundred pounds ;

For the Grammar School in the County of Gloucester, the sum of one hundred pounds ;

For the Grammar School in the County of Carleton, the sum of one hundred pounds ;

For the Grammar School in the County of Restigouche, the sum of one hundred pounds.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of fifty pounds to enable His Excellency to pay a Messenger to the Executive Council.

Messenger to the
Executive Council.

To the Governor and Trustees of the Madras School, the sum of five hundred pounds for the year one thousand eight hundred and forty, towards the support of that Institution.

Madras Corpor-
ation.

II. And be it enacted, That all the before mentioned sums of money shall be paid by the Treasurer of the Province, by Warrant of His Excellency the Lieutenant Governor or Commander in Chief for the time being, by and with the advice of Her Majesty's Executive Council, out of the monies in the Treasury or as payment may be made at the same.

Monies to be paid
by Warrant.

CAP. LIX.

An Act to appropriate a part of the Public Revenue for the services therein mentioned.

Passed 31st March 1840.

I. **B**E it enacted by the Lieutenant Governor, Legislative Council and Assembly, That there be allowed and paid out of the Treasury of this Province, the following sums, to wit :

To the Honorable W. F. Odell, Provincial Secretary, for defraying the expenses of Printing, Stationary, Book Binding, &c., for the Secretary's Office for the year one thousand eight hundred and thirty nine, the sum of one hundred and five pounds.

Provincial Secre-
tary for contin-
gencies of Office.

To the High Sheriff of the County of Charlotte, the sum of twenty five pounds to compensate him for expenses incurred in returning a Member of the Assembly for that County.

Sheriff of Char-
lotte.

To Elizabeth Briscoe, the sum of twenty pounds for teaching a School in Saint Andrews, for the year one thousand eight hundred and thirty nine.

E. Briscoe.

To

Infant School,
Saint John.

To the Committee of Management of the Infant School in Saint John, twenty five pounds in aid of individual subscription towards that Institution.

Free Female
School in Fredericton.

To Mrs. Isabella Hailes and the Committee of Management for the Poor School in Fredericton, for the instruction of poor Female Children, the sum of twenty pounds in aid of individual subscription towards the support of that Institution.

W. Watts.

To William Watts, ten pounds for his services as Crier or Usher in the Supreme Court for the past year, and the further sum of ten pounds for attending the Court of Chancery.

Index to Laws.

To John Gregory, ten pounds to prepare an Index to the Laws of the present Session.

M. Brannen.

To Matthew Brannen, of the Secretary's Office, twenty five pounds as a mark of approbation for his long and faithful services in that Office.

E. Fairfield.

To Elizabeth Fairchild, of the City of Saint John, the sum of twenty pounds for her services as Schoolmistress in the City of Saint John.

Dr. G. P. Peters.

To Doctor G. P. Peters, Surgeon to the Vaccine Institution, Central Board, Saint John, the sum of twenty pounds for his services for the year one thousand eight hundred and thirty nine.

Province Agent.

To the Committee of Correspondence, such sum as will procure Bills of Exchange on London for two hundred pounds, sterling, to be remitted to Henry Bliss, Esquire, Province Agent, for his services during the year one thousand eight hundred and thirty nine.

Adjutant General.

To the Adjutant General of the Militia Forces, the sum of seventy five pounds for his services in the year one thousand eight hundred and forty.

Tide Waiter at
Dalhousie.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of forty pounds for a Tidewaiter at Dalhousie, in the County of Restigouche, for the year one thousand eight hundred and forty.

Tide Waiter at
Bathurst.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of thirty pounds for a Tide Waiter at Bathurst, in the County of Gloucester, for the year one thousand eight hundred and forty.

Free School in
Saint John.

To the Justices of the Peace for the City and County of Saint John, one hundred and fifty pounds towards the support of a Free School established in the said City, unconnected with the Madras Board.

J. Simpson.

To John Simpson, Queen's Printer, the sum of two hundred and seventy five pounds for printing the Daily Journals of the Legislative Council and Assembly during the present Session.

To John Simpson, Queen's Printer, the sum of one hundred and fifty pounds towards printing the Journals of the Legislative Council and Assembly for the present Session.

To John Simpson, Queen's Printer, the sum of one hundred and fifty pounds towards printing the Laws of the present Session.

B. C. Chaloner,
Guager at Saint
John.

To B. C. Chaloner, Guager and Weigher at Saint John, the sum of two hundred pounds, being in full for his services for the year one thousand eight hundred and thirty nine.

Tide Waiter at
Richibucto.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of twenty pounds for the services of a Tide Waiter at Richibucto for the year one thousand eight hundred and forty.

M. A. Smith.

To Mary Ann Smith, for upwards of forty years a Schoolmistress at Saint John, the sum of twenty pounds in consideration of her services in that capacity.

Speaker and
Members of As-
sembly.

To the Speaker of the House of Assembly, the sum of one hundred and fifty pounds for the present Session; and to each and every Member of the House of Assembly, the sum of twenty shillings *per diem* during the present Session, provided that no greater amount than fifty pounds be drawn by any one Member for any

any such attendance ; also, to each and every Member for travelling charges, the sum of twenty shillings *per diem* for each day's travel, to be certified by the Speaker agreeably to a Law of the Province.

To Charity Williams, the sum of ten pounds in consideration of her long and faithful services as a Teacher in the Parish of Fredericton. C. Williams.

To Deborah Ann Lugin, widow of the late G. K. Lugin, many years King's Printer in this Province, the sum of twenty five pounds to assist her in her present condition. D. A. Lugin.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of four hundred and sixty five pounds to pay the Provincial allowance to the Adjutants of the several Battalions of Militia in this Province, and the further sum of two hundred and thirty two pounds ten shillings to pay the Serjeant Majors of the same during the past year. Adjutants and Serjeant Majors of Militia.

To Her Majesty's Attorney General, the sum of one hundred pounds for the year one thousand eight hundred and thirty nine. H. M. Attorney General.

To Her Majesty's Solicitor General, the sum of fifty pounds for the year one thousand eight hundred and thirty nine. H. M. Solicitor General.

To Delia Berton, relict of the late George F. S. Berton, Esquire, Clerk of the Crown in the Supreme Court, the sum of one hundred pounds, being for his services for the year one thousand eight hundred and thirty nine. Delia Berton.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of one hundred pounds to pay a Sub-Collector and Deputy Treasurer at Woodstock, in the County of Carleton, the duties of both offices to be performed by one officer, this to be in addition to the allowance made to Deputy Treasurers by Law. Sub-Collector and Deputy Treasurer at Woodstock.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of forty pounds in aid of individual subscription to pay a Courier between Saint John and Saint Martins. Courier between Saint John and Saint Martins.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of fifty pounds in aid of individual subscription for carrying the Mail three times a week during the ensuing year, with a double sleigh or waggon with two Horses, for the accommodation of passengers between Saint Andrews and Saint Stephen. Stages between Saint Andrews and Saint Stephen.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of six hundred pounds to be applied towards building a Light House and Keeper's House on Point Escuminac, at the entrance of the River Miramichi. Light House and Keeper's House on Point Escuminac.

To Beverley Robinson, Esquire, Province Treasurer, the sum of two hundred and forty pounds and five pence, being amount over advanced by him in one thousand eight hundred and thirty nine, for the support of Light Houses in the Bay of Fundy. Over advance for Light Houses.

To Beverley Robinson, Esquire, Province Treasurer, the sum of one hundred and seventeen pounds four shillings, being amount over expended by him for the protection of the Revenue in one thousand eight hundred and thirty nine. Over expenditure for protection of the Revenue.

To Beverley Robinson, Esquire, Province Treasurer, the sum of one hundred and sixty three pounds four shillings and ten pence, being for office rent, postage and other contingencies, in one thousand eight hundred and thirty nine. Treasury contingencies.

To D. W. Jack, the sum of eight pounds seventeen shillings, being for Gauging and Weighing at Saint Andrews, in one thousand eight hundred and thirty nine. D. W. Jack, Gauger at Saint Andrews.

To R. Watson, the sum of one pound fifteen shillings, being for Gauging and Weighing at Saint Stephen, in one thousand eight hundred and thirty nine. R. Watson, Gauger at Saint Stephen.

To L. A. Wilmot, Esquire, in addition to the sum of two hundred and eighty eight pounds seventeen shillings and six pence now in his own hands, unexpended L. A. Wilmot, Esquire.

Delegation expenses.

monies voted for the expenses of the Deputation of one thousand eight hundred and thirty six, the sum of two hundred pounds as a remuneration for such services in one thousand eight hundred and thirty six.

To L. A. Wilmot, Esquire, the sum of three hundred pounds, for his services as one of the Deputation to England in one thousand eight hundred and thirty seven.

Hon. W. Crane, Delegation expenses.

To the Honorable William Crane, one of the late Deputation to England on the affairs of this Province, such sum as will procure a Bill of Exchange on London for two hundred and forty three pounds sixteen shillings, Sterling, being amount advanced by him in England in one thousand eight hundred and thirty seven, as part of the expenses of the Deputation in that year.

Indemnification for loss of stores, 36th Regiment.

To Lieutenant Colonel Maxwell of Her Majesty's thirty sixth Regiment, the sum of fifty seven pounds to indemnify Quartermaster Hall of that Regiment for losses of certain stores occasioned by the rapid movements of the Troops during the last Season.

Baptist Seminary.

To the Managing Committee of the Baptist Seminary, the sum of five hundred pounds towards paying off a heavy debt incurred by them in erecting and finishing that Institution.

Dr. A. Gesner, Geological Survey.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of three hundred and fifty pounds for the purpose of remunerating Doctor A. Gesner for his services the past year in continuing the Geological Survey of the Province.

Provincial contingencies.

To His Excellency the Lieutenant Governor or Commander in Chief, a sum not exceeding one thousand pounds for Provincial Contingencies.

Grammar School, Northumberland, J. Seewright.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of fifty pounds in aid of the Grammar School presently taught at Newcastle, in the County of Northumberland, by John Seewright, to whom the same shall be paid in part of his salary for teaching said school the present year, on its being certified to His Excellency the Lieutenant Governor by William Abrams, Esquire, and the Reverend James Souter, that the same is due to the said John Seewright for such service.

J. Whitehead.

To James Whitehead, an old Soldier, desperately wounded in the Revolutionary War, the sum of twenty pounds to relieve him in his present distressed circumstances, his being an extraordinary case and no application being made under the Law.

Tide Surveyor at Shippegan and Caraquet.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of thirty pounds for a Tide Surveyor at Shippegan and Caraquet, in Gloucester, for one thousand eight hundred and forty.

Militia under command of Captains Boyd and Mitchell.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of one hundred and thirty two pounds, the same to be distributed among the Non-Commissioned Officers and Privates of the Militia Companies on permanent duty in Charlotte County last winter under command of Captains Boyd and Mitchell, in lieu of Caps and Coats as allowed to other Militiamen on permanent duty in other parts of the Province at the same time.

Extra copies Province Laws.

To John Gregory, Clerk Assistant of the Legislative Council, ten pounds for extra copies of the Province Laws for the use of the Magistrates for the year one thousand eight hundred and forty.

J. Marshall, head money.

To John Marshall, the sum of thirty three pounds seventeen shillings and six pence, being a return of double head money paid on passengers per Brig Highlander from Belfast, at the Treasurer's Office, Saint John, to be taken from the Emigrant Fund.

To W. H. Street, of Saint John, the sum of twenty pounds fourteen shillings, being drawback on three hogsheads Brandy exported to Truro, Nova Scotia.

To the Justices of the Peace for the County of Restigouche, five hundred and fifty pounds towards the completion of the Gaol and Court House in that County.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of twenty pounds to be paid to Benjamin Dawson of Bathurst, for his services as Tidewaiter at the Port of Bathurst in Gloucester, in the year one thousand eight hundred and thirty nine.

To Scovil and Summers of Saint John, the sum of fifteen pounds seven shillings and six pence, being for return of double head money paid on passengers per ship Branches in June last at Saint John.

To the following persons for return duties on Goods destroyed by fire at Saint John on seventeenth August last, agreeably to the report of the Select Committee of twenty seventh February last :

To James T. Hanford, sixty nine pounds seventeen shillings and six pence ;

To Charles M'Lauchlan, one hundred and two pounds twelve shillings and nine pence ;

To Crane and M'Grath, one hundred and five pounds fourteen shillings and eleven pence ;

To Crookshank and Walker, one hundred and forty eight pounds eight shillings and one penny.

To Alexander Robertson, forty eight pounds six shillings and two pence ;

To Thomas Parks, three hundred and eighty four pounds eighteen shillings and four pence ;

To John V. Thurgar, seven hundred and forty six pounds four shillings and eight pence ;

To James Otty and Company, seventeen pounds three shillings ;

To Daniel and Francis Leavitt, eighty five pounds eighteen shillings and six pence ;

To Thomas M'Avity and Company, one hundred and twelve pounds ten shillings ;

To William O. Smith, fifty five pounds seven shillings and five pence ;

To Honorable John Robertson, two hundred pounds nine shillings and four pence ;

To Adam and Davidson, and J. and J. Alexander and Company, seventy three pounds two shillings and five pence ;

To Henry Blakeslee, seventeen pounds eight shillings ;

To Barlows and Ketchum, seventy four pounds seven shillings and seven pence ;

To William Leavitt, twenty five pounds thirteen shillings and five pence ;

To James Kirk, forty two pounds fifteen shillings and eleven pence ;

To Ratchford and Brothers, five hundred and fourteen pounds two shillings and six pence ;

To James Lockwood and Company, two hundred and twenty pounds sixteen shillings and ten pence ;

To William Hammond, thirty nine pounds twelve shillings and six pence.

To the Justices of the Peace for the County of Westmorland, the sum of forty pounds to encourage the running of a Packet sufficient for the conveyance of Passengers &c. between Shediac, in the said County, and Bedeque, in Prince Edward Island ; thirty pounds of which to be paid to the person running the same, upon its being certified to the said Justices that the said Packet has been running between the said places at least once a fortnight during four months, and the remaining sum of ten pounds to be paid the said person, in case it be certified

W. H. Street.

Justices of Restigouche for Gaol and Court House.

B. Dawson,
Tide Waiter,
Bathurst.

Scovil and Summers.

Return duties on goods destroyed by fire at Saint John.

Packet between Shediac and Bedeque, in Prince Edward Island.

certified as aforesaid, that the said Packet has been running once in each week during the above period.

T. Wallace, head money on Passengers per Brig Dobree.

To Thomas Wallace, agent of John Haynes, the sum of thirty seven pounds eleven shillings and eight pence, being a return of double head money on Passengers brought in the Brig Joseph P. Dobree to Saint John on the fifteenth July last, the same to be taken from the Emigrant Fund.

Sick and Distressed Emigrants at Saint John.

To the Justices of the Peace for the City and County of Saint John, the sum of nine hundred and eleven pounds seven shillings and four pence, to reimburse the Overseers of the Poor for the City of Saint John for expenses incurred in the support and relief of sick and distressed Emigrants at Saint John in one thousand eight hundred and thirty nine; twelve pounds sixteen shillings and six pence of which to be paid to the Overseers of Portland, the same to be taken from the Emigrant Fund.

T. Lee and J. Agnew, Ferryman.

To Thomas Lee and John Agnew, the sum of twenty pounds to remunerate them for transporting Her Majesty's Mails across the Ferry at Nashwaak, they carrying the public Courier and his establishment across the River Saint John.

J. Fisher, Drawback.

To John Fisher, of Parsborough, the sum of eight pounds three shillings and six pence, being drawback on a puncheon of Rum exported to that place from Saint John.

Black Refugees, Portland and Simonds.

To the Justices of the Peace for the City and County of Saint John, the sum of one hundred and forty three pounds four shillings and three pence to reimburse the Overseers of the Poor for the Parishes of Portland and Simonds for allowances made in one thousand eight hundred and thirty nine for the support and relief of sick, aged, indigent and distressed Black Refugees.

Transient Poor, Saint Andrews.

To the Overseers of the Poor for Parish of Saint Andrews, the sum of three hundred and seventy six pounds seven shillings and six pence, to reimburse them for expenses incurred by them in support of Transient and Emigrant Poor during the past year.

Justices of Saint John for new Gaol.

To the Justices of the Peace of the City and County of Saint John, the sum of one thousand five hundred pounds towards the erection of a new Gaol in the said City, one half of which sum not to be paid until one thousand eight hundred and forty one.

W. and J. J. Andrews, head money.

To William and J. J. Andrews, of Saint Stephen, the sum of thirty seven pounds one shilling and eight pence, being for a return of double head money paid on Passengers per Brig Gratitude in June last.

Justices of Gloucester.

To Her Majesty's Justices of the Peace of the County of Gloucester, the sum of one hundred pounds to aid an assessment for repairing the public buildings in that County.

Overseers of Poor, Kingston.

To the Overseers of the Poor for Kingston, King's County, the sum of thirty pounds to remunerate that Parish for support and Medical attendance, incurred in the case of John Carew, a maimed and transient pauper.

Justices of Charlotte, debt on Gaol.

To the Justices of the General Sessions of the Peace for the County of Charlotte, the sum of six hundred pounds to enable them to pay off the debt due on the Gaol recently erected for that County.

Justices of York, new Gaol.

To the Justices of the Peace for the County of York, the sum of five hundred pounds towards paying for the erection of the new Gaol in Fredericton, the above sum not to be drawn until one thousand eight hundred and forty one.

County Line between Kent and Westmorland.

To His Excellency the Lieutenant Governor or Commander in Chief, a sum not exceeding forty pounds to provide for running the division of the County Line between the Counties of Kent and Westmorland.

Wharfin Hillsborough.

To the Justices of the Peace for the County of Westmorland, the sum of one hundred

hundred pounds in aid of individual subscription towards building a Public Wharf in Hillsborough, in that County.

To Thomas Wallace and John V. Thurgar of Saint John, the sum of forty five pounds three shillings, being for return duties on five Puncheons Whiskey, exported to Boston in the Schooner Eleanor Jane in October last.

T. Wallace and
J. V. Thurgar,
return duties.

To Doctor S. Frye, the sum of one hundred pounds, being for services rendered in Vaccinating at Saint Andrews, and attendance on Emigrants and poor persons during the late prevalence of Small Pox.

Dr. S. Frye.

To Thomas Wyer, Harris Hatch, Samuel Frye and John M'Lachlan, Esquires, formerly Directors of the Savings Bank at Saint Andrew, the sum of two hundred and seventy nine pounds three shillings and ten pence to relieve them from the responsibility occasioned by the defalcation of the Cashier of that Institution.

Directors of the
Charlotte County
Savings Bank.

To D. Muzrall, the sum of seven pounds ten shillings for keeping a Ferry at Burgoyne's in the County of York, and carrying Her Majesty's Mails.

D. Muzrall, Ferry
at Burgoyne's.

To the Overseers of the Poor for the Parish of Chatham in the County of Northumberland, the sum of twenty four pounds fourteen shillings and six pence, to reimburse them for expenses incurred in the support of a transient pauper.

Overseers of Poor,
Chatham.

To the Honorable John Robertson, the sum of forty five pounds eighteen shillings and four pence, being return duties on Bricks, &c. imported from the United States subsequently to the great fire in August last.

Hon. J. Robert-
son, return duties.

To Samuel M'Farlane, John M'Caskill and Richard Turner, Overseers of the Poor for the Parish of Saint Patrick in the County of Charlotte, the sum of seventeen pounds four shillings and six pence for expenses incurred by them in supporting Thomas Folley an Emigrant pauper.

Overseers of Poor,
Saint Patrick.

To David Hatfield of Saint John, the sum of forty one pounds ten shillings and nine pence, being return of duties on goods shipped to Africa in April one thousand eight hundred and thirty eight.

D. Hatfield,
return duties.

To the Mechanics Institute established in Saint John, the sum of two hundred and fifty pounds in aid of individual subscription towards a building in the course of erection and for the support of the School now in operation.

Mechanics Insti-
tute, Saint John.

To Major Brookes of the sixty ninth Regiment, the sum of seventy six pounds two shillings and nine pence to reimburse the officers of that Regiment for duties paid on Wines in one thousand eight hundred and thirty nine.

Drawback on
Wine, H. M. 69th
Regiment.

To the Justices of the Peace of the City and County of Saint John, the sum of nine hundred and ninety pounds thirteen shillings and nine pence to reimburse the superintendent of the temporary Provincial Lunatic Asylum established in the said City, for the support of that institution in one thousand eight hundred and thirty nine.

Lunatic Asylum,
Saint John, ex-
penses.

To the Mayor, Aldermen and Commonalty of the City of Saint John, the sum of seventy eight pounds twelve shillings to reimburse them for duties paid on a Fire Engine and apparatus, imported from the United States subsequent to the great fire in August last.

Corporation of
Saint John,
return duties on
Fire Engine and
apparatus.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of one hundred pounds for the payment of the Commissioner in one thousand eight hundred and thirty nine for over expenditure which was rendered absolutely necessary to preserve the Public Wharf near Gagetown, and for finishing the approaches thereto.

Public Wharf
near Gagetown.

To the Commissioners for running a Stage between Fredericton and Newcastle, in Northumberland, the sum of thirty pounds in support of a Team Ferry Boat, plying at the entrance of the North and South West Branch of the Miramichi River.

Team Ferry Boat,
N. and S. W.
Branch of the
Miramichi.

Madras School at
Saint Andrews.

To the Reverend Jerome Alley, the sum of thirty two pounds ten shillings to finish the Madras School in the Town of Saint Andrews, and that no further grant be made to this Institution.

Ferry Landings on
the N. and S. side
of the Richibucto.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of seventy pounds for each of the Ferry Landings on the north and south sides of the Richibucto River at the Post Road.

W. H. Scovil,
return duties.

To W. H. Scovil of Saint John, the sum of one hundred and twenty five pounds nine shillings and two pence to reimburse him for duties paid on Nail Machines, Bricks, &c. imported from the United States.

H. D. C. Carman,
return duties.

To Henry D. C. Carman of Chatham, in the County of Northumberland, the sum of five pounds seven shillings and one penny, being return of duties on wine imported from Prince Edward Island in November one thousand eight hundred and thirty eight.

Justices of King's,
new Gaol.

To the Justices of the Peace for King's County, the sum of five hundred pounds to aid in the erection of a new Gaol in that County.

Ann M'Donald.

To Ann M'Donald, the widow of a meritorious Officer who served in the Revolutionary war in America, the sum of twenty pounds to aid her in her present circumstances.

Henry Blakslee,
return duties.

To Henry Blakslee, the sum of twenty pounds, being return duties on bricks imported from the United States subsequent to the great fire in Saint John in August last.

Public and Steam
Boat landing in
Fredericton.

To M'Pherson and Coy, Spafford Barker and F. W. Hatheway, the sum of seventy five pounds to assist them in paying off a debt contracted in erecting a public and Steam Boat landing in Fredericton.

T. Woods.

To Thomas Wood, an old Soldier in the Revolutionary War, the sum of ten pounds, his certificates to the Sessions under the present Act for the relief of meritorious old Soldiers having miscarried.

H. G. Dibblee.

To H. G. Dibblee, Sub-Collector at Woodstock, the sum of fifty pounds, being in full for consideration of past services, agreeably to the prayer of his petition.

G. W. Cleary,
return duties.

To George W. Cleary, Captain in the Carleton Militia, the sum of four pounds eighteen shillings and ten pence, being for return of duties paid on Musical Instruments imported from the United States for the use of a Band.

T. R. Tupper,
return duties.

To James R. Tupper, the sum of seven pounds nineteen shillings to remunerate him for duties paid by him on a Waggon and Sleigh imported from the United States.

Breakwater in
Enrage Bay.

To the Justices of the Peace for the County of Westmorland, the sum of two hundred pounds, in aid of individual subscription, in erecting a Breakwater in Enrage Bay, near the Light House at that place, in the Parish of Harvey, in the County of Westmorland, the same to be taken from the Light House Fund.

Return duties on
Wines, M. M.
36th Regiment.

To Lieutenant Colonel Maxwell of Her Majesty's Thirty Sixth Regiment, the sum of one hundred and sixteen pounds nine shillings and two pence, to reimburse the Officers of that Regiment for duties on Wines, &c. for the Mess during the past year.

Robert Foulis.

To Robert Foulis, of Saint John, the sum of fifty pounds in aid of his School of Arts established in said City.

J. Kerr and Com-
pany, return
duties.

To John Kerr and Company, the sum of sixteen pounds four shillings and eight pence, being for return duties on Bricks imported from the United States, subsequent to the great fire in August last.

York County for
transient poor.

To the Commissioners of the Alms House, for the County of York, the sum of one hundred and twenty seven pounds five shillings and six pence, to reimburse them expenses incurred in support of Emigrant and Transient Poor during the past year, the same to be taken from the Emigrant Fund.

To

To James Blackhall, the sum of twenty pounds for services as Tide Surveyor at Shippegan and Carraquet, in one thousand eight hundred and thirty nine. J. Blackhall.

To Michael Harley, the sum of fifty pounds as compensation for sundry services performed as Deputy Surveyor in the County of Gloucester, in making extensive surveys on the part of the Crown. M. Harley.

To J. A. Street, Esquire, the sum of twenty nine pounds to reimburse him for the sum over expended in the erection of a Ferry Landing in the Parish of Chatham, opposite the Town of Newcastle. J. A. Street, Esq.
Ferry Landing,
Chatham.

To James Gilmour, Esquire, the sum of twenty eight pounds to reimburse him for the amount over expended in the erection of a Ferry Landing in the Parish of Newcastle, opposite the Town of Chatham. J. Gilmour, Esq.
Ferry Landing,
Newcastle.

To Phineas Williston and Brothers, of Chatham, in the County of Northumberland, the sum of eight pounds, being drawback on one puncheon Rum exported from Miramichi to Prince Edward Island in November last. Phineas Williston
and Brothers,
drawback.

To the Magistrates of the County of Westmorland, the sum of twenty pounds to be applied towards the maintenance of the Ferry between Dorchester and Hopewell. Ferry between
Dorchester and
Hopewell.

To the Widow of Isaac W. Jouett, late Usher of the Black Rod to the Legislative Council, the sum of twenty five pounds to assist her in her present situation. Widow of I. W.
Jouett.

To the Justices of the Peace for the County of Restigouche, the sum of seventy eight pounds eleven shillings and six pence to reimburse the Overseers of the Poor of the Parish of Dalhousie, in the said County, for advances made in the support and maintenance of John E. Barry, a transient Lunatic Pauper, during the year one thousand eight hundred and thirty nine. Justices of Resti-
gouche, for sup-
port of John E.
Barry.

To Richard S. Clarke, Esquire, late High Sheriff of Northumberland, the sum of fifty pounds towards relieving him from his present necessitous condition. R. S. Clarke, Esq.

To James Albee, Esquire, the sum of twenty five pounds for the purpose of paying off the debt due on the Steam Boat Slip at Saint Stephen, in the County of Charlotte, being a reappropriation of that sum granted in one thousand eight hundred and thirty eight towards building a Wharf or Steam Boat Landing at Salt Water, in the said Parish. J. Albee, Esq. for
Steam Boat Slip at
Saint Stephen.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of fifty pounds for a Missionary to the Melicite Tribe of Indians stationed in Fredericton, for one thousand eight hundred and thirty eight, and the like sum of fifty pounds for one thousand eight hundred and thirty nine. Missionary to the
Melicite Tribe of
Indians.

To Mary Harned, widow of the late Alward Harned, formerly Doorkeeper to this House, the sum of twenty pounds to assist her in her present situation. Mary Harned.

To James M'Indoe, formerly one of the Messengers of this House, from which he was obliged to retire in consequence of extreme ill health, twenty pounds to aid him in his present circumstances. J. M'Indoe.

To Mary Dingee, widow of the late James Dingee, the sum of fifteen pounds for accommodation afforded to Her Majesty's Troops on their march to Canada and the upper part of this Province at various times, the said Mary Dingee not keeping a Public House. M. Dingee.

To Mary Banks, widow of a meritorious officer in the Revolutionary War, the sum of twenty pounds to assist her in her present condition. Mary Banks.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of two hundred and ten pounds to enable the Commissioners to pay the balance due on the Contract for the Public Wharf at Shediac, so soon as the same is completed. Wharf at Shediac.

To William P. Ranney, the sum of thirty seven pounds eleven shillings and two W. P. Ranney
return duties.

two pence, being for Return Duties on Wine, Brandy, Geneva and Whiskey, destroyed by fire at Fredericton on second August last.

Stage Coach from
Dorchester to
Miramichi.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of two hundred pounds to encourage the running a covered Stage Coach from Dorchester to Miramichi; such sum to be paid to the person or persons who shall run the said Stage Coach for the space of one year, at least once a week, to be certified by Commissioners to be appointed by His Excellency the Lieutenant Governor for that purpose.

Stage Coach from
Miramichi to
Bathurst.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of one hundred pounds to encourage the running a Stage Coach from Miramichi to Bathurst, such sum to be paid to the person or persons who shall run the said Stage Coach for the space of one year, at least once a week, the same to be certified by Commissioners to be appointed by His Excellency the Lieutenant Governor for that purpose.

W. J. Layton,
road between
Salmon River and
the head of the
Richibucto.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of thirty eight pounds ten shillings, to reimburse William John Layton in full for the balance due him for exploring a Road between Salmon River and the head of the Richibucto, agreeably to the recommendation of the Select Committee on the twelfth ultimo, appointed to investigate the Petition of the said W. J. Layton.

Magistrates of
Westmorland for
Micmac Indians.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of thirty pounds to purchase a small tract of Land, to be deeded in trust to the Magistrates of the County of Westmorland for the use of the Micmac Indians.

Firewards in Fre-
dericton, return
duties.

To the Firewards of the Town of Fredericton, the sum of sixty three pounds eight shillings and four pence, being the amount of Imperial and Provincial Duties paid at Saint John on a Fire Engine, imported for the use of the said Town from the United States.

Justices of Nor-
thumberland, for
School House at
Newcastle.

To the Justices of the Peace for the County of Northumberland, the sum of fifty pounds, to be applied towards liquidating a debt incurred in building a School House at Newcastle, in said County, for the benefit of the poorer classes of the Inhabitants of said place, this being made under the peculiar circumstances of the case.

Bridge over the
Shediac.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of seven hundred and seventy five pounds to enable the Supervisor to pay the sum due to the Contractor for building a Bridge over the Shediac River.

Woodstock Stage
Coach Company.

To the President and Directors of the Woodstock Stage Coach Company, the sum of two hundred pounds in aid of that establishment.

Saint Andrews
and Saint John
Stage Coach
Company.

To the President and Directors of the Saint Andrews and Saint John Stage Coach Company, the sum of two hundred pounds to enable them to keep up the efficient daily establishment on the Great Road leading between the two places.

Victoria Coach
Company.

To the Proprietors of the Victoria Coach Company, the sum of two hundred and fifty pounds to aid them in keeping up the establishment on the Great Road leading from Saint John to Dorchester.

J. Bradley and
Associates, Stage
between Frederic-
ton and Saint
John.

To James Bradley and his associates, the sum of one hundred and fifty pounds in aid of running a daily line of Stages between Fredericton and Saint John.

J. M. Kelly,
Stages between
Fredericton and
Miramichi.

To James M. Kelly, the sum of one hundred pounds as additional aid towards running a Stage twice a week between Fredericton and Miramichi, the same not to be drawn unless it be satisfactorily certified to His Excellency the Lieutenant Governor or Commander in Chief that the said Stage has been in operation twice a week as aforesaid.

Clearing out
Loder's Creek.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of fifty pounds to be applied in assisting to clear out Loder's Creek in Sheffield, in the County of Sunbury.

To

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of twenty five pounds towards erecting a Wharf at or near the Public Landing in Sheffield. Wharf in Sheffield.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of one hundred pounds to be paid to James R. Tupper for keeping up a conveyance between Woodstock and the Grand Falls. J. R. Tupper, Stages between Woodstock and Grand Falls.

To the Justices of the Peace for the County of Westmorland, the sum of forty pounds to be paid to such person as may make it appear to the satisfaction of the said Justices that a good and sufficient Vessel has been employed as a Packet to run from Bay Verte to Cape Traverse and Charlotte Town in Prince Edward Island, and has been kept running at least once a fortnight during the season. Packet from Bay Verte to Cape Traverse and Charlotte Town.

To the Lieutenant Governor or Commander in Chief, the sum of twenty pounds to aid the Inhabitants of the County of Westmorland to employ a Courier to carry the Mails from Cape Tormentine to the Great Road of communication through that County. Courier from Cape Tormentine to the Great Road.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of one hundred and thirty seven pounds to enable him to compensate Captain Priestley for his valuable services in Drilling the Frontier Battalions of Militia, between the months of June and November, one thousand eight hundred and thirty nine, a further sum of one hundred and fifty pounds to enable His Excellency to continue those services in the present year, and a sum not exceeding two hundred pounds to pay unavoidable expenses attendant upon these important services for the year one thousand eight hundred and forty, the expenses of the former year having been previously paid by him. Captain Priestley, Drilling Militia.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of thirty pounds in aid of a Public Conveyance from the Bend of Peticodiac to Shediac. Conveyance between Bend of Peticodiac and Shediac.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of thirty pounds for the purpose of encouraging Michael Mandeville to run a Stage between Dalhousie and Campbelltown. Michael Mandeville, Stage between Dalhousie and Campbelltown.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of one hundred and fifty pounds to replace the Bridge over the Magaguadavic River on the old line of Great Road from Fredericton to Saint Andrews, the same having been carried away by the freshet last spring, the materials for the said Bridge to be contracted for and procured during the ensuing winter, and the Bridge completed the summer following, the amount not to be drawn from the Treasury until the year one thousand eight hundred and forty one. Bridge over the Magaguadavic, on the old line of Road.

To Barnet Rogers, a licenced Ferryman, the sum of twenty pounds to remunerate him for the transportation of Couriers conveying Her Majesty's Mails across the River Saint John near Woodstock in the County of Carleton. B. Rogers.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of twenty two pounds to reimburse Lieutenant and Adjutant Pratt of the thirty sixth Regiment, for expenses incurred in pursuing to Eastport in the United States, and apprehending two Deserters from that Regiment in October last. Lt. and Adj. Pratt, of H. M. 36th Regiment.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of nine hundred and ninety pounds to enable the Supervisor to pay the Contractor for the building Bridge over River Charlo, and the approaches thereto, on the Great Road from Bathurst to Restigouche. Bridge over River Charlo and the approaches thereto.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of two hundred pounds to assist in improving the Road lately laid out on the east side of the River Saint John, leading from Nashwaak to Keswick in the County of York. Road, Nashwaak to Keswick.

- M. Ann Black. To Melissa Ann Black, the sum of sixteen pounds thirteen shillings and four pence for teaching a School in the Parish of Saint Martins in the County of Saint John, for ten months ending fourteenth January one thousand eight hundred and forty.
- D. Kilpatrick. To David Kilpatrick, the sum of ten pounds for teaching a School in the Parish of Woodstock for six months, ending twentieth January one thousand eight hundred and thirty nine.
- E. C. Wilson. To Ezekiel C. Wilson, the sum of twenty pounds for teaching a School in Hampton, King's County, for one year ending thirteenth September one thousand eight hundred and thirty eight.
- H. M'Lean. To Hugh M'Lean, the sum of ten pounds for teaching a School at Richmond, in the Parish of Woodstock, for six months ending twenty sixth December one thousand eight hundred and thirty nine.
- A. D. Thompson. To Adam D. Thompson, the sum of twenty pounds for teaching a School in Saint Andrews, in the County of Charlotte, for one year ending June one thousand eight hundred and thirty four.
- E. Hailey. To Elizabeth Hailey, the sum of ten pounds for teaching a School in Saint Patrick, in the County of Charlotte, for six months ending first October one thousand eight hundred and thirty nine.
- G. Powell. To George Powell, the sum of ten pounds for teaching a School in Sussex, King's County, for six months ending twelfth August one thousand eight hundred and thirty nine.
- F. J. Earls. To Francis Jemima Earls, the sum of five pounds for teaching a School in the Parish of Queensbury, County of York, for three months ending first June one thousand eight hundred and thirty nine.
- J. Killen. To James Killen, the sum of twenty pounds for teaching a School in Woodstock, in the County of Carleton, for one year ending first January one thousand eight hundred and thirty nine.
- M. Hasson. To Mary Hasson, the sum of six pounds thirteen shillings and four pence for the services of her daughter, Elizabeth Hasson, deceased, in teaching a School in Saint Andrews, in the County of Charlotte, for four months ending seventh April one thousand eight hundred and thirty nine.
- J. M'Queen. To James M'Queen, the sum of twenty pounds for teaching a School in Sussex, King's County, for one year ending thirteenth September one thousand eight hundred and thirty nine.
- J. Gibbons. To John Gibbons, the sum of ten pounds for teaching a School in Blissfield, in Northumberland, for six months ending first June one thousand eight hundred and thirty six.
- M. Downing. To Michael Downing, the sum of ten pounds for teaching a School in the Hibernia Settlement, County of Saint John, for six months ending first March one thousand eight hundred and thirty eight.
- C. Hitchins. To Caroline Hitchins, the sum of ten pounds for teaching a School in the Parish of Saint Andrews, County of Charlotte, for six months ending seventeenth November one thousand eight hundred and thirty eight.
- Trustees of Schools, Westmorland, for John Orr. To the Trustees of Schools in the Parish of Coverdale, in the County of Westmorland, the sum of eight pounds six shillings and eight pence for John Orr, deceased, who taught a School in that Parish five months, ending sixteenth December one thousand eight hundred and thirty nine.
- Sarah Gill. To Sarah Gill, the sum of twenty pounds for teaching a School in Saint Mary's, County of York, for one year ending December one thousand eight hundred and thirty eight.

To Deborah Foster, the sum of twenty pounds for teaching a School in the Parish of Harvey, County of Westmorland, for one year ending thirtieth October one thousand eight hundred and thirty nine. Deborah Foster.

To Daniel Livingston, the sum of twenty pounds for teaching a School in the Parish of Upham in King's County, for one year ending first May one thousand eight hundred and thirty nine. D. Livingston.

To Isabel Jouett, the sum of ten pounds for teaching a School at Saint Mary's, County of York, for six months ending thirty first December one thousand eight hundred and thirty nine. I. Jouett.

To Rachel Martin, the sum of ten pounds for teaching a School in Sussex, King's County, for six months ending May one thousand eight hundred and thirty nine. R. Martin.

To Elizabeth Wilson, the sum of five pounds for teaching a School in the Parish of Saint Martin's, for three months ending fourteenth December one thousand eight hundred and thirty eight. E. Wilson.

To James De Bourk, the sum of twenty pounds for teaching a School in the Parish of Saint Mary's in the County of York, for one year ending tenth June one thousand eight hundred and thirty seven. J. De Bourk.

To James Millar of Chatham, in the County of Northumberland, the sum of ninety pounds as compensation for teaching a School at that place from first October one thousand eight hundred and thirty three, to the end of March one thousand eight hundred and thirty eight, a period of four years and six months. J. Millar.

To Hannah Rogers of Saint David, the sum of twenty pounds for teaching a School in the Parish of Saint James, for one year ending on the first November one thousand eight hundred and thirty eight. H. Rodgers.

To David Crocker, Supervisor of the Great Road between Restigouche and Newcastle, the sum of thirteen pounds and eight pence to remunerate him for expenses incurred and loss sustained by him in defending a suit brought against him in his capacity as a Supervisor. D. Crocker.

To the President of the New Brunswick Horticultural Society at Fredericton, the sum of thirty pounds in aid of individual subscription, towards extending the operations of that Society. Horticultural Society, Fredericton.

To Mary Albee, a licenced Teacher, the sum of ten pounds for teaching a School in the Parish of Saint Stephen in the County of Charlotte, six months ending second March one thousand eight hundred and forty. M. Albee.

The sum of forty pounds, which was granted in one thousand eight hundred and thirty eight to remove Rocks in the Falls near Saint John, and which remains unexpended, be re-appropriated and applied towards blasting and removing Rocks from the Road leading from Indian Town Road to the Kennebecasis. Removal of Rocks on road, Indian Town to the Kennebecasis.

To the Mayor, Aldermen and Commonalty of the City of Saint John, the sum of three thousand pounds towards relieving the heavy assessment upon the said City, consequent upon the Act for widening several Streets therein, for the preservation of property and preventing the ravages of Fire; out of which the expenses incurred and to be incurred by the Commissioners appointed to carry into effect the Acts of Assembly for widening the Streets to be paid. Corporation of Saint John, towards widening several Streets.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of thirty pounds towards the expense of exploring by a Commissioner or Commissioners to be appointed for that purpose, a proposed new line of Road along the shore of the Bay of Fundy, from Wolfe Point to Quaco, as contemplated by the Petition of Isaac Turner and others, and to make report of the same at or before Exploration from Point Wolfe to Quaco.

before the next Session of the General Assembly; the results of such exploration to exhibit the courses and distances, the levels and probable expense of opening the same.

Packet between Saint Andrews, Deer Island, Indian Island, Campo Bello and Grand Maun.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of one hundred pounds for the purpose of running a Packet to carry Mails from Saint Andrews to Deer Island, Indian Island, Campo Bello and Grand Maun, and back from those places to Saint Andrews.

Offices of the Provincial Secretary and Clerk of the Pleas.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of two hundred and sixty pounds eighteen shillings to reimburse the Commissioners appointed to enlarge the Secretary's Office, and to provide an office for the Clerk of the Pleas, being the balance of expenditure for those services.

T. Woods.

To Thomas Wood a licenced Teacher, the sum of fifteen pounds for teaching a School in the Parish of Botsford in the County of Westmorland, for nine months commencing the nineteenth November one thousand eight hundred and thirty five.

Bye Roads in King's County, re-appropriation.

That the following sums granted in the year one thousand eight hundred and thirty eight for the following Bye Roads in King's County, but not drawn from the Treasury or expended thereon, be re-appropriated and applied towards the improvement of the same Bye Roads, viz:—

The sum of fifteen pounds for the Road from Moses Hodge's by Moses Innes' and Motley's to William H. Baxter's;

The sum of ten pounds for the Road from W. H. Baxter's to Sussex Line;

The sum of ten pounds for the Road from Mitchell's corner, by Joseph Moody's to M'Affee's;

The sum of ten pounds for the Road from the Mill of the late James Smith to the County Line towards Loch Lomond;

The sum of fifteen pounds for the Road from Richard Smith's corner to Beattie's ferry; and further, that the sum of ten pounds granted in the same year for the Road from the Midland Road near Mabee's to the Picwacket, near Jerome Seely's, and which was returned into the Treasury by P. Dann, be re-appropriated and applied to cut down and improve the Road between John Britain's and Kingston Church.

Road from Burnt Church to Shippegan.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of three hundred pounds for the improvement of the Road from Burnt Church in the County of Northumberland, and Shippegan in the County of Gloucester; one hundred pounds of which to be laid out from Burnt Church to Tabusintac, and the remaining sum of two hundred pounds from Pokemouche to Shippegan, such amount as may be necessary of the latter sum to be applied in improving a great Swamp or Morass on part of the said last line of Road.

Bridge over Hammond River, near Ketchum's.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of four hundred pounds for building a Bridge or repairing the present one over the Hammond River, near Ketchum's in King's County.

Drain for old road across the Tantara Marsh.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of one hundred pounds to complete the Drain for preventing the inundation of the old Road across the Tantara Marsh.

Ferry Wharf at Calhoun's, in Hopewell.

To the Magistrates of the County of Westmorland, the sum of thirty pounds to erect a Ferry Wharf upon the public landing at Calhoun's in Hopewell.

Indigent and distressed Indians.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of three hundred pounds to enable the Commissioners of Indian affairs to afford relief to indigent and distressed Indians in this Province.

Wharf on the Saint Croix.

To the Justices of the Peace residing in the Parish of Saint Stephen in the County

County of Charlotte, the sum of fifty pounds towards building a Wharf on the Saint Croix in the said Parish, for the accommodation of Steam Boats and other craft entering the said River.

To Thomas White, the sum of ten pounds to enable him to keep up a Ferry between Oak Point and Waweig River, on the Road to Saint Andrews in the County of Charlotte, the same not to be paid until the end of the year for which the sum may be granted, and not then unless the said Ferry has been properly attended.

Thomas White,
Ferry between
Oak Point and
Waweig River.

To William Simpson, the sum of ten pounds to enable him to keep up a Ferry between Waweig and Oak Point, in Charlotte County, the same not to be drawn until the end of the year for which the sum may be granted, and not then unless the said Ferry has been properly attended.

W. Simpson,
Ferry between
Waweig and Oak
Point.

To the Chairman of the Committee of Public and Private Accounts, the sum of one hundred and fifty pounds for various services performed by him during the recess, and also for extra services during the Session in auditing and reporting the said Accounts.

Chairman of Com-
mittee on Public
and Private Ac-
counts.

To Edward L. Jarvis and Company, the sum of forty four pounds five shillings, being for a return of Duties on Goods destroyed by Fire at Saint John on seventeenth August last.

E. L. Jarvis and
Company, return
duties on Goods.

To W. H. Street and W. P. Ranney, the sum of one hundred and thirty five pounds nineteen shillings and ten pence, being amount of Parliamentary Duties on Goods consumed at the great Fire in Saint John in one thousand eight hundred and thirty seven.

W. H. Street and
W. P. Ranney.

To William Hammond, the sum of sixty seven pounds three shillings and one penny, being amount of Parliamentary Duties on Goods consumed at the great Fire in Saint John in one thousand eight hundred and thirty seven.

W. Hammond.

To Dugald Stewart, Esquire, Deputy Treasurer at Dallhousie, the sum of eight pounds to reimburse him for Postages paid on a return package of Papers and Accounts connected with the Treasury Department.

D. Stewart, Esq.

To George F. Campbell, Esquire, Postmaster at Saint Andrews, the sum of eight pounds to remunerate him for expenses incurred in forwarding extra Mails to Saint John with Letters, during the present winter, and that no further grant be made by this House for such service.

G. F. Campbell,
Esquire.

To the Governor and Trustees of the New Brunswick Madras Board, the sum of ninety pounds eleven shillings and six pence, to enable them to pay off the debt in completing the School House in Fredericton.

Madras Corpora-
tion, Fredericton
School House.

To the following persons the sums named, being for return of Parliamentary Duties on Goods destroyed by Fire at Saint John in January one thousand eight hundred and thirty seven :

Return of duties
on Goods destroy-
ed by Fire.

To Stephen Wiggins, four pounds one shilling and five pence ;

To John Walker, fifty one pounds seventeen shillings and nine pence ;

To Barnabas Tilton, forty nine pounds eighteen shillings and nine pence ;

To Knowles and Thorne, one pound seventeen shillings and nine pence ;

To George Chadwick, eight pounds four shillings and nine pence ;

To George W. Potter, thirteen pounds three shillings and eleven pence ;

To Joseph Scammell, eleven pounds nine shillings ;

To Robert L. Harris, five pounds nine shillings and four pence ;

To William Scammell, one pound five shillings ;

To George M. Burns, four shillings and three pence ;

To Edward W. Greenwood, five pounds eight shillings and three pence ;

To Thomas L. Nicholson, eight pounds fifteen shillings and seven pence ;

To Keator and Thorne, five pounds fifteen shillings.

That

That the following sums now in the hands of the Commissioners for extending the Breakwater at Quaco, be re-appropriated and laid out as follows :—

Seventy five pounds to complete the Road along the Beach to M'Comber's Creek at Quaco ;

Fifty pounds to avoid the Hill on the west side of Bërry's Creek in Quaco, and to erect a Bridge over the said Creek.

Steam Communi-
cation between
Miramichi, Char-
lotte Town and
Pictou.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of three hundred and fifty pounds annually for the next five years, from the tenth day of May one thousand eight hundred and forty one, for the purpose of encouraging a Weekly Steam Communication between Miramichi, New Brunswick, Charlotte Town, Prince Edward Island, and Pictou, Nova Scotia ; provided that a good and efficient Boat of not less than eighty horse power be by the period above named put upon that line, and that the same do run regularly not less than once a week between the above mentioned places between the tenth May and twentieth November each year during the same term (going and returning within the week,) and proceeding up the River Miramichi as high as the Town of Newcastle each trip, both on the arrival and departure of the said Boat, to discharge and receive freight and passengers, touching a Douglastown for the same purpose both on her arrival and departure, and stopping at each of those places each time not less than half an hour ; which sum shall be paid annually to such person or persons as may run such Boat, by Warrant under the hand and seal of His Excellency the Lieutenant Governor, only on its being certified to him, by Commissioners to be by His Excellency appointed to superintend such Steam Navigation in this Province, that a good and efficient Boat of the power aforesaid has been put on said line, and that the conditions of this grant have been for the year for which the grant is applied to be paid, in all respects complied with.

Quarter Master
General of Militia.

To the Quarter Master General of the Militia Forces, the sum of two hundred pounds for his services for the year one thousand eight hundred and thirty nine.

Ferryman at the
Aristook.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of thirty pounds to enable His Excellency to remunerate a Ferryman at the Aristook for his services in facilitating the passage of the Mails across the said River during the year one thousand eight hundred and thirty nine.

Exploration of
Road, Bellisle Bay
to Kingston.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of twenty six pounds fifteen shillings and five pence, for the purpose of paying the balance due the Commissioners for exploring a new line of Road from Bellisle Bay to Kingston.

A. Goodfellow.

To Alexander Goodfellow, Esquire, the sum of thirty six pounds seventeen shillings, over expended by him on Taxes River Bridge.

Ferrying Mails
across the Richi-
bucto River.

To the Justices of the Peace for the County of Kent, the sum of twenty pounds to recompense the Ferryman for conveying Her Majesty's Mails over the Richibucto River for the last four years.

M. Harley explor-
ing line of Road
from Salmon River
to Richibucto.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of one hundred and eight pounds ten shillings, to pay Michael Harley the balance due him for exploring a line of Road from Salmon River to Richibucto.

Ann Fowler.

To Ann Fowler, widow of the late Caleb Fowler, who served as Ensign in the Revolutionary War in America, the sum of twenty pounds to assist her in her distressed and indigent circumstances.

Dorcas Clarke.

To Dorcas Clarke, of Saint George, in the County of Charlotte, the sum of twenty pounds for teaching a School in that Parish for one year ending on the first day of January one thousand eight hundred and thirty seven.

Henry Rigby.

To Henry Rigby, a Licenced Teacher, the sum of twenty pounds for teaching a School

School in the Parish of Portland for one year ending thirty first December one thousand eight hundred and thirty nine, the said School not having been included in the certificate of the Trustees, by reason of the large number of Schools previously established by them in that populous Parish, and which prevented them awarding to any one School the full sum provided by Law.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of forty nine pounds sixteen shillings and four pence to pay the Commissioner appointed to explore a line of Road from Red Rock to the Nerepis the balance due him. Exploration of Road, Red Rock to the Nerepis.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of one hundred and nine pounds seven shillings and five pence, to pay George Wightman the balance due him for exploring a line of Road between Woodstock and Oak Bay. G. Wightman balance due him for exploring Road from Woodstock to Oak Bay.

To John Biggs, the sum of six pounds twelve shillings and six pence, being amount of Provincial Duty paid by him on a Coach imported from the United States for the use of the Legislative Council. John Biggs return duties.

To Julia Crowley, an Infant School Teacher in Saint Andrews, the sum of ten pounds to enable her to keep up so useful an establishment. Julia Crowley.

To the President and Directors of the Central Bank, the sum of one thousand two hundred and seventy three pounds twelve shillings and nine pence, being amount advanced by them for the expenses of the Legislature in September last. Central Bank, short Session, 1839.

To the Appraisers at Saint John, under the Imperial Act, the sum of fifty pounds each, to remunerate them for services of the past year. Appraisers at Saint John.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of thirty five pounds, to enable William John Layton to publish his Meteorological Register for the last five years, and the further sum of twenty eight pounds ten shillings to remunerate him for loss of Instruments sustained in keeping said Register. W. J. Layton, Meteorological Register.

To John Fraser, Esquire, the sum of ten pounds to remunerate him for his services as Appraiser of Dutiable Articles in Miramichi for the year one thousand eight hundred and thirty nine. John Fraser.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of one hundred and eight pounds five shillings and one penny, to reimburse David Crocker for exploring a line of Road between Tattagouche and Eel River. D. Crocker, exploration.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of one hundred and sixty pounds fourteen shillings and five pence, to be paid to Alexander Goodfellow and David Crocker, for exploring a new line of Road from Miramichi to the head of Grand Lake. A. Goodfellow and D. Crocker, exploration.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of sixteen pounds four shillings to reimburse J. E. Woolforde, the Barrack Master at Fredericton, for loss of Stores issued for the use of the embodied Militia in one thousand eight hundred and thirty nine. J. E. Woolforde, Barrack Stores.

To the Overseers of the Poor for the Parish of Saint Stephen, in the County of Charlotte, the sum of eighty eight pounds eight shillings and eight pence to reimburse them for expenses incurred for the support of Transient Poor in the said Parish from the thirteenth May one thousand eight hundred and thirty nine, to the sixth February one thousand eight hundred and forty. Overseers of Poor Saint Stephen.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of three hundred pounds towards providing materials for building a Bridge across the Aristook. Bridge across the Aristook.

To Alexander Wedderburn, Emigrant Agent at Saint John, the sum of fifty pounds in addition to his Salary of one hundred pounds sterling chargeable on the Civil List. A. Wedderburn.

To

Disputed Terri-
tory Fund, Loan.

To His Excellency the Lieutenant Governor or Commander in Chief, a sum not exceeding one thousand five hundred pounds as a loan to the Disputed Territory Fund, and to be repaid out of the first monies which may come into the hands of the Receiver General from any securities taken for Timber cut upon the said Territory.

W. Watts,
approbation.

To William Watts, the sum of twenty five pounds as a public mark of approbation for his laudable exertions during several years past as a Nurseryman, Florist and practical Gardener.

A. Shanklin.

To Andrew Shanklin, the sum of twenty pounds for teaching a School in the Parish of Springfield, King's County, for twelve months ending first January one thousand eight hundred and thirty seven.

X. Jouett.

To Xenophon Jouett, late Usher of the Black Rod to the Honorable Her Majesty's Council, the sum of twenty five pounds in consideration of his long services and advanced age, having served that Honorable Body nearly thirty eight years.

Province Hall
extra work.

To His Excellency the Lieutenant Governor or Commander in Chief, a sum not exceeding two thousand pounds for the payment of extra work done in and about the Province Hall during the past year, and for the completion of the work yet in progress.

Agricultural So-
cieties.

To His Excellency the Lieutenant Governor or Commander in Chief, not exceeding the following sums for the use of the Agricultural Societies in the respective Counties :

Restigouche, one hundred pounds ;
Northumberland, one hundred pounds ;
Westmorland, one hundred pounds ;
Saint John, one hundred pounds ;
Queen's, one hundred pounds ;
York, one hundred pounds ;
Gloucester, one hundred pounds ;
Kent, one hundred pounds ;
King's, one hundred pounds ;
Charlotte, one hundred pounds ;
Sunbury, one hundred pounds ;
Carleton, one hundred pounds ;

Which sums, or aliquot portions thereof, shall be paid to the order of the President of the respective Agricultural Societies, when it shall be certified to His Excellency that the Inhabitants of the several Counties have subscribed and paid a sum equal to one half the sums above mentioned, or to the said aliquot portions, which sums so paid shall be accounted for to the Legislature : Provided always, That in such Counties wherein District Agricultural Societies be formed, embracing one or more Parishes only, it shall and may be lawful for His Excellency to apportion the amounts so to be granted for the County among the said Agricultural Societies.

J. Simpson.

To John Simpson, Queen's Printer, the sum of one hundred and fifty two pounds eighteen shillings and six pence, being amount of his account for printing the Journals of the Legislative Council to the first January one thousand eight hundred and forty.

To John Simpson, Queen's Printer, the sum of four hundred and sixty seven pounds two shillings and nine pence, being balance of his account for printing the Journals of the Assembly and Laws to the first January one thousand eight hundred and forty.

To John Simpson, Queen's Printer, the sum of two hundred and six pounds and

and three pence, being for sundry publications in the Royal Gazette to first January one thousand eight hundred and forty.

To the Keeper of the Light House at Saint Andrews Harbour, the sum of ten pounds in addition to the sum appropriated on fourth February last, the same to be taken out of the Light House Fund. Keeper Light House Saint Andrews Harbour.

To His Excellency the Lieutenant Governor or Commander in Chief the sum of ninety one pounds nineteen shillings and nine pence, to reimburse the amount advanced to relieve the inhabitants of Madawaska from a state of severe distress in one thousand eight hundred and thirty nine. Relief of inhabitants of Madawaska.

To Joseph Madget and Michael Dennison, two Soldiers who served their Country in the Revolutionary war in America, the sum of ten pounds each, for one thousand eight hundred and thirty nine, it appearing by the certificate of the Clerk of the Peace for the County of York, that their names were not included in the Schedule of the Sessions for that County. J. Madgett and M. Dennison.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of three hundred pounds to pay off the balance due from Commissioners for the Northumberland Emigrants, and to procure seed for the coming season, and that no further provision be made for that purpose. Northumberland Emigrants.

To the Justices of the Peace for King's County, for the use of the said County, the sum of one hundred pounds to reimburse them for expenses connected with the apprehension of Terence Leonard, a person charged with the murder of Bernard Coyle, and who had fled from this Province to the United States. Justices of King's County, apprehension of T. Leonard.

To John Street, the Provincial Settler between the Aristook and Grand Falls, the sum of twelve pounds ten shillings to enable him to pay for one hundred acres of Land on which he resides. J. Street, Provincial Settler.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of fifty pounds to be expended in improving the Road from Fredericton to Maryland. Road, Fredericton to Maryland.

To His Excellency the Lieutenant Governor, the sum of fifty two pounds six shillings and nine pence, to enable His Excellency to defray the expenses attending the investigation into the burning of the Church at Grand Manan. Burnt Church, Grandmanan, expenses.

To Joseph Read, late Supervisor on the Great Road between Newcastle and Restigouche, the sum of fifty six pounds seventeen shillings and one penny, being the balance due him per audit in the year one thousand eight hundred and thirty eight, for expenditure on the said Road; and the further sum of eight pounds fourteen shillings and ten pence, being the balance due him for expenditures on the approaches to Tattagouche Bridge, and the Road leading to Bass River, per audit, in the year one thousand eight hundred and thirty nine, the same to be taken out of the monies voted for the Great Roads between Newcastle and Restigouche, and to be paid by the Supervisor when the same comes into his hands. Joseph Read, for balances due him.

To the Justices of the Peace for the City and County of Saint John, the sum of one thousand five hundred pounds, to enable them to finish the House of Correction now building agreeably to the report of the Select Committee, the said sum not to be drawn from the Treasury until the year one thousand eight hundred and forty one. Justices of Saint John, for House of Correction.

To George Atcheson, the sum of forty pounds to remunerate him for loss sustained and expenses incurred in consequence of the Government having sold to the said Atcheson a Tract of Land which proved to have been previously granted by Government. George Atcheson.

To the Commissioners to be appointed by His Excellency the Lieutenant Governor to expend the same, the sum of twenty pounds to procure Timber to fill up Hollow and hill near Gagetown Church.

Road, Gagetown
to Nerepis via
Corrigan's.

up the hollow, and to aid the Statute Labour in removing the Hill near the Church in Gagetown; and the further sum of ten pounds to improve a new Road leading from Gagetown by way of Dennis Corrigan's towards the Nerepis Road, the amount of thirty pounds having been omitted in the Act of the last Session, appropriating the Bye Road money for Queen's County.

Auditing Casual
Revenue Ac-
counts.

To the Commissioners appointed for auditing the accounts of the Casual and Territorial Revenues, under an Act of the Legislature, the further sum of five hundred pounds, in full for their services and all expenses incurred under the said Commission.

Geological Sur-
vey.

To His Excellency the Lieutenant Governor or Commander in Chief, a sum not exceeding two hundred and fifty pounds, to enable His Excellency to employ a competent person for the present year to continue the Geological Survey and Exploration of the Province; and further resolved that no further grant be made for this purpose.

Government
House.

To the Commissioners of Government House the sum of one thousand seven hundred and fifty pounds towards the balance due them.

Removal of Bar at
the Jemseg.

To such Commissioners as His Excellency may appoint, a sum not exceeding five hundred pounds for the purpose of improving the navigation between the River Saint John and the Grand Lake by the removal of a Bar at the entrance of the Jemseg.

Ferry Scow on the
S. W. Branch of
the Miramichi.

To the Justices of the Peace of the County of Northumberland, the sum of twenty five pounds to enable them to procure a good and efficient Ferry Scow on the South West Branch of the Miramichi River, where the Great Road between Fredericton and Newcastle crosses that River, to be paid on its being certified to His Excellency the Lieutenant Governor by the Commissioners appointed to superintend the Stage on that Road, that said Ferry Scow has been built, and is in full operation.

Widow of Thomas
Burdon.

To the Widow of Thomas Burdon, late a Lieutenant in the Corps of Loyal Associated Refugees, the sum of twenty pounds towards assisting her in her present distressed circumstances.

Road from Forks
of Road from Ock-
nabog and John
Gaunce's to
M'Alister's.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of twenty pounds for laying out and improving a Road from the Forks of the Road leading to Ocknabog and John Gaunce's to M'Alister's, on the Road leading from Gagetown to Nerepis.

Wharf and Land-
ing at Nixon's
Ferry, Frederic-
ton.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of seventy five pounds, in aid of individual subscription, towards the completion of a Public Wharf and Ferry Landing in Fredericton, at Nixon's Ferry, in connexion with the Great Road to Miramichi.

H. Chubb, Print-
ing.

To Henry Chubb, of Saint John, the sum of seventy five pounds twelve shillings and six pence, being amount of his account for printing Doctor Gesner's first and second Reports of the Geology of New Brunswick.

W. Clark, Settler
on road, Eel River
to the head of
Oak Bay.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of thirty pounds for the encouragement of William Clark, a new Settler on the line of Road from Eel River to the head of Oak Bay; the same to be paid to the said Clark as soon as it shall be duly certified to His Excellency that he is residing on the said line of Road, and has a comfortable House for the accommodation of Travellers.

Towing Path,
Tobique to the
Grand Falls.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of one hundred pounds to improve the Towing Paths from the Tobique to the Grand Falls on the River Saint John.

Missionaries at
Madawaska.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum
of

of twenty five pounds towards remunerating Missionaries stationed at Madawaska, for the purpose of giving attendance on the Tobique and other Indians established in the neighbourhood of that settlement.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of one hundred pounds for improving the Road leading from Groom's, in Hampton, to the New Bridge in Norton, King's County.

Groom's in Hampton, to new Bridge in Norton.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of fifty one pounds, being expenses incurred in running and marking out a division line between the Counties of Sunbury and Queen's, by Deputy John Wilkinson, in one thousand eight hundred and thirty nine.

Division Line between Sunbury and Queen's.

To the Chairman of the Library Committee of the House, such sum as will procure a Bill for three hundred pounds, sterling, to enable that Committee to procure such Books as are required for the use of the House, to be accounted for at the next Session of the General Assembly.

House of Assembly Library.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of one hundred and fifty six pounds five shillings and seven pence, being the amount of duties on sundry contraband Goods, recently seized and sold by the Customs at Saint John; the same to be applied towards rewarding the parties concerned in making the said seizures.

Return duties on Seizures of contraband goods.

To His Excellency the Lieutenant Governor or Commander in Chief, a sum not exceeding two hundred and thirteen pounds, the same to be distributed among the Non-Commissioned Officers and Privates of four Militia Companies on permanent duty in Carleton County last winter, under command of Captains Cunliffe, Ketchum, M'Lauchlan and Giberson, in lieu of coats as allowed to other Militiamen on permanent duty in other parts of the Province at the same time.

Carleton Militia in lieu of Coats.

To the Commissioners of Light Houses, the sum of one hundred and twenty five pounds eighteen shillings and seven pence, to enable them to pay the Superintendent of Light Houses the balance of salary recommended by said Commissioners, the same to be taken out of the Light House Fund.

Superintendent of Light Houses.

To Bridget M'Donald, whose husband came to his death in assisting Her Majesty's Troops on their march to Quebec, the sum of ten pounds to assist her in her present destitute circumstances.

R. M'Donald.

To Robert Gowan, the sum of seventy five pounds for extra services in the Crown Land Office.

R. Gowan.

To David W. Jack, late Tide Surveyor at Saint Andrews, the sum of fifty pounds, being the balance of his salary for one thousand eight hundred and thirty nine.

D. W. Jack.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of seventy pounds to enable His Excellency to purchase four hundred sets of Accoutrements, in the store of the thirty sixth Regiment, for the use of the Militia of this Province.

Accoutrements for Militia.

To His Excellency the Lieutenant Governor, a sum not exceeding one thousand pounds towards defraying the expenses of a new Survey, Exploration and Estimate of a line of Canal to connect the Bay of Fundy with the Gulph of Saint Lawrence, and also to report an opinion as to the propriety of substituting a Rail Road for the proposed Canal; provided that the neighbouring Provinces contribute a fair proportion of the expense of such Survey.

Exploration for Canal between the Bay of Fundy and Gulf of Saint Lawrence.

To the Province Treasurer, the sum of one hundred and fifty pounds in addition to the amount already voted for his salary for one thousand eight hundred and thirty nine, and the further sum of fifty pounds for the Clerk and Deputy in his Office, for the same year.

Province Treasurer and Clerk.

To

D. M'Millan,
School Books.

To His Excellency the Lieutenant Governor, the sum of forty nine pounds eleven shillings to pay David M'Millan the balance of his account for one thousand copies of Walkingham's and Mental Arithmetic.

Publication of
Militiaman's
Guide and Offi-
cer's Instructor.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of one hundred pounds to be applied towards paying the expenses of compiling and publishing "The Militiaman's Guide" and "Officer's Instructor," should His Excellency be satisfied with the correctness and utility of these works.

Exploration for
Road from Forks
of the Marsh to
Loch Lomond.

To His Excellency the Lieutenant Governor, the sum of seventeen pounds six shillings and three pence to pay the Commissioner the balance of his account for exploring a line of Road from the Forks of the Marsh at Saint John to Loch Lomond.

Legislative Con-
tingencies.

To the Clerk of the House, the sum of two thousand five hundred and ninety four pounds seventeen shillings and four pence for the contingent expenses of the present Session.

Monies to be paid
by Warrant.

II. And be it enacted, That all the before mentioned sums of money shall be paid by the Treasurer of the Province, by Warrant of His Excellency the Lieutenant Governor or Commander in Chief for the time being, by and with the advice of Her Majesty's Executive Council, out of the monies now in the Treasury, or as payment may be made at the same.

CAP. LX.

An Act to provide for opening and repairing Roads and erecting Bridges throughout the Province.

Passed 31st March 1840.

Great Road and
Special Grants.

I. **B**E it enacted by the Lieutenant Governor, Legislative Council and Assembly, That there be allowed and paid out of the Treasury of the Province to such persons as His Excellency the Lieutenant Governor or Commander in Chief for the time being shall appoint, in addition to the sums already granted, the following sums for the purposes hereinafter mentioned :

Saint John to the
Nova Scotia Line.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of two thousand five hundred pounds for the improvement of the Road leading from Saint John to the Nova Scotia Line, to be apportioned as follows :—

One thousand two hundred and seventy one pounds for that part of the Road leading from Saint John to Hayward's Mills ;

One hundred and fifteen pounds for completing the Bridge at Hampton Ferry ;

Fourteen pounds to be paid to Thomas Dunfield, for building a Bridge at Salmon River, Sussex, during the Supervisorship of the late G. H. Hazen, Esquire ;

One hundred pounds from the head of the Marsh, near Ellison's, to Hammond River, near Beattey's ;

One thousand pounds for that part of the Great Road leading from Hayward's Mills to the Nova Scotia Line, such part of this sum to be expended on the Tantanar Marsh (the old road) as may be necessary to keep the same in repair.

Saint John to
Saint Andrews.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of one thousand five hundred pounds for the improvement of the Great Road from Saint John to Saint Andrews.

Piers and landing
places, Harbour
of Saint John.

To the Mayor, Aldermen and Commonalty of the City of Saint John, the sum of one thousand five hundred pounds towards the Piers and Landing Places on the eastern and western sides of the Harbour of Saint John, in order to form a connection with the several Great Roads by the establishment of Steam Ferry Boats for the safe and speedy conveyance of Her Majesty's Mails and Passengers across the said Harbour.

To

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of two hundred pounds for the Great Road from Gagetown to Nerepis. Gagetown to the Nerepis.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of one hundred and fifty pounds for the Great Road from Dorchester to Shediac. Dorchester to Shediac.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of one hundred and twenty pounds for the Great Road from Shediac to Bend of Peticodiac. Shediac to Bend of Peticodiac.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of five hundred pounds for the improvement of the Great Road from Richibucto to Chatham; one half of which to be expended between Richibucto and Bay du Vin Rivers. Richibucto to Chatham.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of six hundred pounds for the Great Road between Newcastle and Bathurst; to be expended between Nipisiquid River and Miramichi River. Newcastle to Bathurst.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of one hundred pounds towards erecting a Bridge over Little River at Bathurst. Bridge over Little River at Bathurst.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of one hundred and fifty pounds towards erecting a Bridge over French Fort Cove, near the Town of Newcastle, in Northumberland. Bridge over French Fort Cove, near Newcastle.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of one thousand five hundred pounds for the Great Road leading from Bathurst to Campbelltown; five hundred pounds of which to be expended in the County of Gloucester. Bathurst to Campbelltown.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of two thousand pounds to improve that part of the new line of Road on the west side of the River Saint John between Fredericton and Woodstock lying above Burgoyne's. West side River Saint John between Burgoyne's and Woodstock.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of one thousand pounds to improve the Great Road between Fredericton and Woodstock; such amount of the said sum as is absolutely necessary to keep the Road in repair to be expended on the north side of the River. Fredericton to Woodstock.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of one thousand five hundred pounds to provide for payment of Bridges already contracted for on the Road from Fredericton to Woodstock. Bridges on Road from Fredericton to Woodstock.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of five hundred pounds for the improvement of the Road from Woodstock to the Canada Line. Woodstock to the Canada Line.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of seven hundred pounds for the improvement of the Road from Fredericton to the Finger Board; three hundred pounds, a part of which sum, to open and improve that part of the Road leading from Washademoak to William Colwell's, and one hundred pounds for the Bridge over Esty's Creek, and a sum not exceeding sixty pounds to build a Bridge over Sterling's Creek. Fredericton to the Finger Board.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of three thousand five hundred pounds for the Great Road from Fredericton to Newcastle. Fredericton to Newcastle.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of two thousand five hundred pounds for the Road from Fredericton to Saint Andrews. Fredericton to Saint Andrews.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of four hundred pounds for the improvement of the Great Road from Shediac to Richibucto. Shediac to Richibucto.

Richibucto ; of this a sum not exceeding fifty pounds to be expended in preparing a passage or Draw in the Buctouche Bridge, for the transit of new Vessels.

Salisbury to Hopewell.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of six hundred pounds for the Road from Salisbury to Hopewell ; two hundred pounds of which to be expended between A. Steeves, in Hillsborough, and Calhoun's, and fifteen pounds to be paid to D. Tingley for work on the Shepody Bridge.

Woodstock to Houlton.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of two hundred pounds for the Road from Woodstock to Houlton.

Waweig to Saint Stephen.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of sixty pounds for the Road from Waweig to Saint Stephen.

Bridge over the Oromocto.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of one thousand pounds towards a Bridge over Oromocto River, and for the Land and approaches thereto.

Hammond River to Hopewell.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of two hundred pounds for the Road from Hammond River to Hopewell ; one half of which sum to be expended in King's County, from Hammond River onwards.

Loch Lomond to Sussex Vale.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of five hundred pounds for the Road from Loch Lomond to Sussex Vale.

Oromocto to Gagetown.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of one hundred and fifty pounds for the Road from Oromocto to Gagetown ; thirty pounds of said sum to be expended on the Kemball Causeway, at Swan Creek.

Widening Mill Bridge.

To the Mayor, Aldermen and Commonalty of the City of Saint, the sum of five hundred pounds towards widening the Mill Bridge, and for the improvement of the Road to Indian Town.

Bend of Peticodiac to Richibucto.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of one hundred pounds for the Road from the Bend of Peticodiac to Richibucto.

Grand Lake to Richibucto.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of six hundred pounds for the Road between Grand Lake and Richibucto ; the same to be expended on the line explored and laid out by Michael Harley.

Head of Bellisle to Kingston.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of six hundred pounds for the Road between head of Bellisle and Kingston, the same to be expended on the line explored and marked out by Messieurs Palmer and Jordan ; of which four hundred pounds to be laid out on that part of the Road lying between the head of Bellisle and James Gourey's, and the remainder, two hundred pounds, onwards from James Gourey's, by the Beaver Dam hollow, to the Great Road.

Fredericton to Saint John via Nerepis.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of one thousand four hundred pounds for the Road from Fredericton to Saint John, via Nerepis ; of which, four hundred pounds to be laid out between Fredericton and Oromocto, and the remainder, one thousand pounds, from the Oromocto to Saint John, for that part of the Road and the Bridges thereon.

Royal Road.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of five hundred pounds for the improvement of the Royal Road so called.

Grand Falls round the Tamisquata Lake.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of one thousand five hundred pounds for the improvement of the Road from Grand Falls round the Tamisquata Lake.

Woodstock to the River De Chute.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of two hundred and fifty pounds for the Road from Woodstock, through the Williamstown Settlement, to the River De Chute.

To

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of two thousand five hundred pounds for the Road from Fredericton to Peticodiac; out of which such sum as may be necessary to be expended in erecting a Bridge over the Newcastle Stream.

Fredericton to
Peticodiac.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of two hundred and fifty pounds for the Road from Red Rock to the Nerepis.

Red Rock to the
Nerepis.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of seven hundred and fifty pounds for the Road from Oak Bay to the Bridge at Eel River; the same to be laid out between the Howard and Baillie Settlements, so called, on the said Road.

Oak Bay to the
Bridge at Eel
River.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of two hundred pounds for the Road from the Bridge at Brockway's, Magaguadavic, to the lower Bridge on the Saint Croix.

Bridge at Brock-
way's to the lower
Bridge over the
Saint Croix.

CARLETON BYE ROADS.

Seven pounds to improve the road on the lower line of the Woodstock Grant, near Eel River.

Bye Roads in
Carleton.

Forty five pounds to improve the road near Judge Beardsley's, past M'Donald's to Ivey's, in the back Settlement, the same to be expended from the River out.

Ten pounds for the road near O'Donnell's, running in a southerly direction between the second and third tier of Lots.

Twenty pounds to improve the road from the lower line of the Glebe Lot in Woodstock to M'Kenzie's corner.

Seven pounds to improve the road from John Beardsley's to a back Settlement.

Twenty pounds to improve the road from Amos Turney's down the Meduxnickick, to intersect the Houlton Road.

Ten pounds to improve the road past William Bull's from Richmond Road to Hodgston Road.

Ten pounds to improve the road from C. Wolhaupter's to Fleming's.

Twenty pounds to improve the road from Richmond Corner to Hodgston Road.

Fifteen pounds to improve the Road and build a Bridge from M'Kenzie's Corner, past Purley's Mills, to Ivey's.

Thirty five pounds to improve the road from M'Kenzie's Corner, past Woodward's and Blue's, to Frazer Duff's.

Ten pounds for the road from Frazer Duff's to a Grist Mill.

Ten pounds for the road from Perley's Mill to Kirkpatrick's.

Ten pounds for the road from M'Kenzie's Corner to the Boundary Line.

Twenty pounds to improve a road from Hodgston Road, past Yerxa's and Ford's, to the further end of the Settlement.

Ten pounds to improve a road from the Hodgston, past Marsh's, to the Houlton Road.

Ten pounds to improve the road from the School House in the Irish Settlement, past Daly's, to the Hodgston Road.

Seven pounds to improve the road from Fleming's to Carson's.

Fifteen pounds for the road from M'Indoe's to Peabody's Mills.

Fifteen pounds for the road from Peabody's Mills to Falls of the Meduxnickick.

Ten pounds for the road from Falls of Meduxnickick towards M'Bride Settlement.

Fifteen pounds for the road from Richmond's corner to Peabody's Mills.

Thirty five pounds to improve the road from the Houlton Road near Hillman's, to George Gartley's; most of which sum to be laid out in building a Bridge and altering a road near the Swamp.

Forty

Carleton Bye
Roads,
Continued.

Forty pounds to improve and open the road past Baker's to Meduxnikick, to intersect the road from Sharp's to Wilson's.

Fifteen pounds to improve the road from George Garteley's to Meduxnikick.

Sixty pounds to improve the Road and Bridges from Patchell's Ferry to Daniel Shaw's, in Northampton.

Twenty pounds to improve the road from E. Cogswell's to the Newburgh Settlement.

Fifteen pounds to be laid out on a cross road in the said Settlement.

Thirty eight pounds to improve the Road and Bridges from Daniel Shaw's to George M'Gee's.

Sixty seven pounds to improve the road from George M'Gee's to the Begaguimick, the principal part to be expended on the Deep Creek Hill.

Ten pounds to improve the road from the mouth of Begaguimick on the southerly side up to James Bulyea's.

Five pounds eight shillings and six pence to improve the road from Samuel Estabrook's, past M'Burney's.

Five pounds eighteen shillings to Benjamin Noble, to enable him to pay Samuel Hayden for the balance due on his contract.

Twelve pounds to improve the road from the School House to James Clark's, in Brighton.

Fifty pounds to improve the road from the mouth of the Begaguimick, on the north side, to the Cold Stream.

Twelve pounds for the road from the mouth of the Cold Stream to the further end of the Settlement on the said Stream.

Ten pounds for the road from the Cold Stream up the Begaguimick.

Fifteen pounds to improve the road from the Cold Stream to the River Saint John.

Ten pounds to improve the road from James Dyer's to a back Settlement near Loveley's.

Fifty pounds thirteen shillings and six pence to Newman Raymond, to assist him in paying off the balance due for building a Bridge near Dyer's.

Seven pounds to improve the road from Monquot to the back Settlement.

Thirty pounds for the road from Begaguimick to the Monquot.

Ten pounds to improve the road from John Wright's Farm to a back Settlement in Andover.

Thirty pounds to improve the road now opened or that may be opened according to Law, from the Monquot Stream to Richard Wharton's.

Sixty pounds to improve the road from Richard Wharton's to the Tobique.

Fifteen pounds for the road from the Tobique to Salmon River.

Ten pounds to improve the road from Thomas Gee's to the back Settlement in the Parish of Wicklow.

Eight pounds to improve the road from the eight mile Tree on the Aristook Portage to the River Saint John.

Ten pounds for the road from Benjamin Tibbett's to a back Settlement.

Ten pounds to improve the road from Thomas Pomfrey's to a back Settlement.

Ten pounds to improve the road from O'Connor's Creek to a back Settlement.

Ten pounds to improve the road from the main River to a back Settlement, called the Chichehawk Settlement.

Fifty pounds to improve the road from Bowyer's Mill, past Tracey and Burpe's Mill to Big Presqu' Isle, near Broadstreet's.

Fifteen pounds to improve the road from Charles Lewis' in a northerly direction, past William Stewart's. Thirty

Thirty pounds to improve the road from M'Kean's to the further end of the Settlement. Carleton Bye Roads,
Continued.

Twelve pounds to improve the road from James Jones', above the Little Presqu' Isle, to the back Settlement.

Thirty five pounds to improve the road from Burpe's Mill near Boyer's in Wakefield; the principal part of this sum to be expended near the Mill.

Twenty pounds to improve the road and complete the Bridge near Simonson's.

Twenty pounds to improve the road from near William Mallory's, in a southerly direction, to the Grist Mill.

Thirty pounds to improve the road near Hannah's in Jacksontown, past Payson's Mill to William Lindsay's.

Twenty pounds to improve the road from Patrick Murphy's past Lindsay's.

Twenty pounds to improve the road from Lindsay's, past M'Lauchlan's to the Saw Mill.

Ten pounds for the road from William Lindsay's to William Bell's on the Meduxnikick.

Fifteen pounds for the road from James M'Graw's, past Chapman's to the late James Curran's Farm.

Thirty pounds to improve the road from Henry Sharp's, past George Wilson's and Martin's to Bell's; a part to be laid out on the Deep Gully and the road which is not in dispute.

Sixty pounds to improve the road from Jacob Estabrook's through the Williamstown Settlement.

Ten pounds to improve the road from Johnston's to Dunn's.

Ten pounds to improve the road from Rufus Payson's through to the upper School House.

Ten pounds to improve the road from R. Hume's to J. Tracey's.

Twelve pounds to improve the road from William Mallory's to C. Palmer's.

Twenty pounds to open a road near the late James Curran's Farm to Elisha Baker's, near the Meduxnikick.

Ten pounds for the road from Alexander Lindsey's to William Phillip's a new Settlement.

Ten pounds to improve the road from Charles Palmer's to Little Presqu' Isle.

Seven pounds to improve the road from William Rourke's to John Taylor's, in a back Settlement in the Parish of Kent.

Twelve pounds to improve the road from Marvin's Corner near the Court House; principal part to be laid out on the new part of the road.

KENT BYE ROADS.

Forty five pounds for the road from Point Sapine to Kouchibouguac; three pounds sixteen shillings and six pence of which to be paid to Jock Daigle for labour done in one thousand eight hundred and thirty eight. Bye Roads in
Kent.

Thirty pounds for the road from Point Edward to the Ship Yard.

Thirty five pounds for the road on the south side of Kouchibouguac River.

Fifteen pounds for the road from Kouchibouguac to Little River.

Ten pounds for the road on the south side of Kouchibouguac above the Post Road.

Ten pounds for the road from Taddy Babino's to the Post Road.

Fifteen pounds for the road on the north side of Kouchibouguacis River from the Rapids up.

Bye Roads in
Kent,
Continued.

Twenty pounds for the road on the south side of Kouchibouguacis River above the Post Road.

Twenty five pounds for the road on the south side of the Aldoune River ; of which fifteen pounds to be expended above the Mill.

Twenty pounds for the road on the north side of Richibucto River, from the cross road at Hughes' to Mill Creek.

Twenty five pounds for the road from Mill Creek to the Indian line ; of which fifteen pounds is to be expended between Carruthers' upper line and the Indian line.

Ninety pounds for the road from Mill Creek to Molus River.

Twenty pounds for the road from Child's Creek to East Branch Bridge.

Thirty pounds for the Bridge over Big Simmons Creek, on the road leading to the Cape.

Ten pounds for the road from Richibucto to the Village.

Ten pounds for the road from the Village to Little Chockpish.

Fifteen pounds for the road from Little Chockpish River to the Big Chockpish.

Ten pounds for the road leading from the cross road at Murray's to Galloway's.

Fifteen pounds for the road from John Scott's in Galloway to the east Branch.

Ten pounds for the road from Molus River to Bass River.

Twenty pounds for the road in rear of Kelleck's to the Mills.

Twenty five pounds for the road from Pine's to the Coal Branch ; one half to be expended between Trout Brook and the Coal Branch.

Fifteen pounds for the road from Smith's up the Coal Branch.

Forty five pounds for the road from the Coal Branch to the west Branch.

Twenty pounds for the road from the west Branch to the south Branch ; two pounds eighteen shillings and eight pence of which to be paid William Doherty for a balance due for work on the south Branch Bridge.

Fifteen pounds for the road from west Branch to the Town Plot.

Ten pounds for the road from N. Crystal's up the south Branch.

Twenty five pounds for the road from the south Branch to the east Branch Bridge.

Fifteen pounds for the road from Middle Island Creek to Bell's Creek.

Fifteen pounds ten shillings to pay the balance due on Indian Creek Bridge.

Fifteen pounds for the road on the south side of the Chockpish River, two thirds of which to be expended above the Post Road.

Twenty five pounds for the Road and Bridge from Chockpish to Buctouche by Oliver Myer's.

Fifty pounds for the Road and Bridges on the north side of big Buctouche River, above the Post Road.

Ten pounds for a road from the M'Intosh Settlement to the new Settlement in the third tier of Lots.

Twenty pounds for the road on the south side of Big Buctouche River near the Head of the Tide.

Twenty pounds for the road on the north side of Little River.

Twenty pounds for the road from the head of Little Buctouche to the Thibedaux Settlement.

Twenty pounds for the road from Buctouche to Cocagne by the shore.

Fifteen pounds for the road from Cocagne River to the Thibedaux Settlement.

Forty pounds for a Bridge over the Creek at Bogg's and Hartshorn's Mill, upon condition that twenty pounds is given in labour or materials by the inhabitants of the District for that purpose.

Fifty pounds for the Road and Bridges on the south side of Cocagne River.

Fifteen

Fifteen pounds for the road from the Bridge over the Creek at Robicheaux's down round the Cape. Bye Roads in Kent,
Continued.

Ten pounds for the road through the Cape.

Ten pounds for the road from Peter Babinot's to Thomas Taylor's on the north side of Shediak River.

Twenty four pounds ten shillings to William M'Leod to enable him to pay the balance due to Charlemang Arseneaux for repairs done on Daigle's Creek Bridge.

GLOUCESTER BYE ROADS.

Eighty pounds for the road between Tracadu and Pokemouche. Bye Roads in Gloucester.

Thirty pounds for the Bridge over Lousier's Brook.

Thirty pounds for the Carraquet Lower Portage.

Forty pounds for the road from Carraquet to Shippegan, by Saint Simon's.

Seventy pounds for the road from Carraquet to Waterloo.

Twenty pounds for the road from New Park, westwards.

Eight pounds for the Hornibrook Road.

Eight pounds for the Landing at Patrick Sisk's.

Twelve pounds to finish the Bridge over Teague's Brook.

Twenty pounds for the road from Bass River to Watson's Bridge.

Twenty pounds for the repairs of Watson's Bridge and approaches thereto.

Twenty pounds for the road between M'Carthy's and William Ellis'.

Eight pounds for the road to the landing at Lot number twelve.

Thirty one pounds ten shillings for the Bridge over Gahen's Brook and approaches.

Ninety eight pounds ten shillings for the road between Bathurst and Bass River.

One hundred pounds for the road from Bathurst towards the Babino River.

One hundred and twenty five pounds for the Bridge over Doucett's Cove.

Fifty pounds for the road in the Tettagouche and Kinsale Settlements.

Sixty pounds for the roads and explorations in the New Dunlop Settlement.

Forty pounds towards erecting the Bridge over Little River.

Sixty pounds for the Roads and Bridges in Youghall Settlement.

One hundred and nineteen pounds for cutting down the Hills and filling up the Glebe Brook in the rear of Bathurst.

WESTMORLAND BYE ROADS.

Forty pounds for the road from Benjamin Landrie's to William Read's. Bye Roads in Westmorland.

Ten pounds for the road from William Read's to Thomas Ayer's.

Twenty five pounds for the road from the main road on Sackville Great Marsh to Point Migic.

Ten pounds for the road from Philip Chapman's to Thomas Oulton's, Junior.

Fifteen pounds for the road from Thomas Oulton's, Junior, to the Emigrant Road.

Fifteen pounds for the road from Thomas Oulton's, Junior, to Joseph Murray's.

Ten pounds for the road from George Richardson's to Crossman's.

Ten pounds for the road from Tedish to Shemogue.

Fifteen pounds for the road from John Anderson's to James Cadman's, crossing the Little Shemogue.

Twenty five pounds for the road from Sackville to Aboushagan.

Twenty pounds for the road from the Chapel in the Barrichoie to the Sackville Road, including Bridges, twelve shillings of which to be paid David Cornea.

Forty

Westmorland
Bye Roads,
Continued.

- Forty pounds for the road from Gaspereau to Cape Tormentine.
- Twenty pounds for the road from Gaspereau to Great Shemogue.
- Fifteen pounds for the road from the Great Road to Grand Aunce, by second Westcock Hill.
- Fifteen pounds for the road from Ephraim Raworth's to Cape Spear.
- Ten pounds for the road from James Purdy's to Cook's.
- Twenty pounds for the road from Aboushagan Road to David Cook's.
- Twenty pounds for the road from the Shediak Road to the French Settlement.
- Fifty pounds for the road from Wood Point to Cape Maranguin; ten pounds of which to be expended on the Causeway at Peck's Creek.
- Fifteen pounds for the road from Widow Kinnear's to Fairfield.
- Ten pounds for the road from Joseph Herbert's, in Tedish, to the Kouchibouguac Lake Settlement.
- Ten pounds for the road from George Dobson's to the Emigrant Road.
- Fifteen pounds for the road from Townsend's to Bay Verte.
- Twenty pounds for the road from Charters' to Benjamin Landrie's.
- Ten pounds for the road from John Raworth's to the Emigrant Road.
- Sixty pounds for the road from Square Lake to Point Migic.
- Ten pounds for the road from Beech Hill to Lander's.
- Fifteen pounds for the road from Marang Tarrio's to Gallang's, and over the Kouchibouguac Stream.
- Ten pounds for the road from Josiah Hick's to Toler's Island.
- Fifteen pounds for the road from Cott's Island to the Road on the Great Marsh.
- Fifteen pounds for the road from Jollicour to the road from Square Lake.
- Ten pounds for the road from Thomas Anderson's, the fourth, to Dorchester Road.
- Ten pounds for the road from Tedish to Little Cape.
- Five pounds for the road from Belonia Budrot's to a back Settlement.
- Twenty pounds for the road from Bay Verte to Robert Dobson's.
- Ten pounds for the road from Guiton's, up the east side of the Memramcook River.
- Twenty five pounds for the road from Philip Chapman's to Great Shemogue.
- Ten pounds for the road from Longchester's to Hann's Brook.
- Ten pounds for the road from Fawcett's to Thomas Ayer's.
- Ten pounds for the road from Great Shemogue to Square Lake.
- Fifteen pounds for the road from Edward Chappell's to Gooden's.
- Ten pounds for the road from John Trenholm's to the Main Road.
- Thirty five pounds for Gaspereau Bridge; thirty one pounds fifteen shillings and seven pence of which to be paid John Trenholm.
- Ten pounds for the road from the Aboushagan Road to Miles Sears'.
- Five pounds for the road from David Armour's to Daniel Young's.
- Five pounds for the road from Joseph Budrot's to Samuel Haven's.
- Ten pounds from the road from C. Kinnear's to Cormea's Meadow Lot.
- Fifteen pounds for the Kouchibouguac Bridge.
- Ten pounds for the road from John Richardson's to James Kay's.
- Ten pounds for the road from Thomas Taylor's to Peter Babinot's, north side Shediak River.
- Ten pounds for the road from Dorchester Road to Crossman's.
- Ten pounds for the road from Gallang's Road to the south east Branch of Aboushagan.
- Ten pounds for the road over Budrot's Marsh.
- Ten pounds for the Bridge and Road over the Cormea Marsh.

Five

Westmorland
Bye Roads,
Continued.

Five pounds for the road from the Great Road to Peter Jonah's.

Five pounds for the road from the main road near Stoney Creek to Thomas Rogers'.

Ten pounds for the road from Cook Smith's in Dorchester to the Sackville Town Line.

Ten pounds for the Dorchester Island Marsh Road.

Twenty pounds for the road from Jonathan Cole's to the Joggin's.

Five pounds for the Marsh Road from the Cape Road to Cole's Point.

Ten pounds for the road from John Palmer's to second Westcock Hill.

Ten pounds for the road from the Great Road Dorchester, through the Chapman Mill Settlement.

Ten pounds for the road from near Gabriel Herbert's to Dover.

Ten pounds for the road from Dover to Beliveau Village.

Ten pounds for the road from Beliveau Village to the Chapel.

Thirty five pounds for the road from Ralph Carter's to the Peticodiac River.

Five pounds for the road from the Chapel at Dorchester to the Cove.

Five pounds for the road from the Chapel Road to Lorang Lezere's.

Sixty pounds for the road from the Bend to Irishtown; of which sum ten pounds to be paid to James Kennedy.

Fifteen pounds for the road from Irishtown to the French Settlement.

Twenty pounds for the road from the Shediack Road, through the French Minudie Settlement.

Ten pounds for the road from the Great Road to Brown's Mill by P. Kearneau's.

Thirty pounds for the road from the Great Road to Butternut Ridge.

Forty pounds for the road from the Bend to the Mountain Settlement.

Ten pounds for the roads connected with the Mountain Settlement.

Fifteen pounds for the road from Robert Colpitt's, Junior, to the King's County line, near J. Hoyt's.

Five pounds for the road from James Crandall's to Bell's Farm.

Fifteen pounds for the road from George Colpitt's up Coverdale River.

Fifteen pounds for the road from Robert Scott's to North River.

Five pounds for the road from the Great Road to Henry Steeve's.

Five pounds for the road from the Round Hill to Henry Steeve's.

Twenty five pounds for the road from Henry Steeve's to Irvine Settlement.

Five pounds for the road from the Milton Road to John H. Steeve's.

Ten pounds for the road from Alexander Cane's to George Colpitt's Mill.

Five pounds for the road from the Haley Settlement Road to Hezekiah Woodworth's.

Five pounds for the road from Dover to William M'Farlane's.

Ten pounds for the road from William Chapman's to Timothy Horseman's.

Forty pounds for the road from Hamilton's in Hopewell to Hillsborough.

Fifty pounds for the road from M'Latchley's Bridge to Stoney Creek, thence to Mill Creek.

Thirty pounds for the road from James Gunning's to Henry Steeve's; of which sum fourteen pounds ten shillings to be paid to John Briggs for the ascertained value of land over which the road passes; and ten pounds to be expended in protecting the road over the Chapman Marsh.

Twenty pounds for the road from Chapman's, up Turtle Creek to Milton's.

Fifteen pounds for the road from Thomas Colpitt's Mill through the Coverdale River Road, and thence to Robert Colpitt's.

Fifteen pounds for the road up Pollet River to John Geldart's; of which sum ten pounds to be expended between John Scott's and Nathaniel Smith's.

Westmorland
Bye Roads,
Continued.

Ten pounds for the road from the School House to Young Sherman's.

Ten pounds for the road from Abner Taylor's to the Lewis Settlement.

Twenty pounds for the road from Gilbert Forsyth's, in New Horton, to Cape Enrage.

Forty pounds for the road from Germain Town to Point Wolfe Harbour.

Twenty five pounds for the road from New Ireland to Salmon River.

Ten pounds for the road from William Fillmore's to Daniel Copp's, on the Ridge.

Ten pounds for the road from John Ritchie's to Stephen Styles' on Crooked Creek.

Ten pounds for the road from Ezra Peck's to the Memel Road Settlement ; of which sum five pounds to be paid to John Rogers.

Twenty five pounds for the road to the Caledonia Settlement, from Hopewell.

Fifteen pounds for the road from Ezra Peck's through the Haley Settlement.

Ten pounds for the road from the Great Road to Aaron Robinson's.

Five pounds for the road from the New Ireland Road to Hugh M'Kinley's.

CHARLOTTE BYE ROADS.

Bye Roads in
Charlotte.

Fifteen pounds for the road from Letete Point to the School House, near M'Nichol's Mill, in Saint George.

Eight pounds for the road from the School House, near M'Nichol's Mill, to Alexander Dick's, in Saint George.

Fifteen pounds for the road from Philo Seely's Farm to the Lime Kilns at L'Etang Harbour in Saint George.

Fifteen pounds for the road from Archibald M'Vicar's lower line to Henry Cook's, at Back Bay Settlement in Saint George.

Eight pounds for the road from M'Lauchlin's Farm, on L'Etang River, to Nathaniel Spinney's in Saint George.

Fifteen pounds for the road from Benjamin Hanson's Farm to the Main Road near the Red Store in Saint George.

Thirty pounds for the road from M'Carrol and Boyd's to Henry Seeley's, on the eastern side of Lake Utopia.

Eight pounds ten shillings for the road from Henry Seeley's to the Red Rock Mill in Saint George.

Fifteen pounds for the road from the Upper Mills to Isaac Thorn's, on the eastern side of the Magaguadavic, in Saint George.

Ten pounds for the road from the Upper Mills to the Red Rock Mill in Saint George.

Forty pounds for the road from the Upper Mills to the old Fredericton Road, on the western side of the River, in Saint George.

Fifteen pounds for the road from the old Fredericton Road to the County Line, near the Flume Ridge in Saint George.

Fifteen pounds for the road from Pomeroy's to James M'Clymant's Farm, on the old Fredericton Road in Saint George.

Twelve pounds for the road from Philo Seeley's Farm to John M'Dermid's, in Saint George.

Ten pounds for the road from the Fresh Water Landing, near Captain Jones' Farm, on the western side of the Magaguadavic, in Saint George.

Eleven pounds to be reappropriated for the road from James Murphy's to the road leading from Philo Seeley's to the mouth of the L'Etang River, in Saint George.

Fifteen

Bye Roads in
Charlotte,
Continued.

Fifteen pounds for the road from Thomson's Mills to the Church in Pennfield.
Twelve pounds for the road from Hall's Mill to Beaver Harbour in Pennfield.
Fifteen pounds for the road from Beaver Harbour to Bucknam's Mill in Pennfield.

Thirty five pounds for the road from Crow Harbour Mill to the new Settlement at M'Dowall's in Pennfield.

Eighteen pounds for the road from Seeyle's Cove to the main road near M'Kay's in Pennfield.

Eight pounds for the road from Bucknam's to Woodland's in Pennfield.

Twelve pounds for the road from the Saint John Road to the new School House in Pennfield.

Eight pounds for the road between Thomson's Farm and the Saint John Road, near Goodall's in Pennfield.

Twelve pounds for the road from Black's Harbour to John Crickett's in Pennfield.

Ten pounds for the road from Widow M'Callum's to Doude's Cove, near the mouth of LeProe River in Pennfield.

Ten pounds for the road from the Great Road to Maces Bay in Pennfield.

Eleven pounds for the road from the head of Camp Creek to Traynor's Cove in Pennfield.

Ten pounds for the road from Black's Harbour towards the Church in Pennfield.

Ten pounds for the road from John Cricket's, Junior, towards Philip Justison's in Pennfield.

Ten pounds for the road from Mrs. Boyd's Corner to the Saint John Road, eastward, in Pennfield.

Twenty six pounds for the road from Edwin Foster's to the Parish Line in Saint David.

Ten pounds for the road from John Nisbett's in Saint David, to Simmons' in Saint James.

Ten pounds for the road from Davis Collins' to Gardner's in Saint David.

Ten pounds for the road from Jacob Reed's in Saint David to the Great Road.

Twenty five pounds for the road from Cotterell's Mill to the head of Oak Bay in Saint David's.

Ten pounds for the road from Mergas Anderson's to Ferguson's in Saint David.

Ten pounds for the road from Thomas Mitchell's to the main road in Saint David.

Ten pounds for the road from Robert Davidson's to the main road in Saint David.

Ten pounds for the road from William Malkson's to the main road in Saint David.

Ten pounds for the road from John Wilson's, Junior, to the main road in Saint David.

Ten pounds for the road from Mark's Farm in Saint David to Denny's Stream.

Ten pounds for the road from Daniel Bellmore's in Saint David to the New Road.

Ten pounds for the road from Cotterell's Mill in Saint David to Moses Reid's.

Ten pounds for the road from William Hill's to Daniel Hill's in Saint David.

Forty pounds for the road from the Rolling Dam to the eastern line of the Parish of Saint Patrick.

Thirty pounds for the road from the Rolling Dam by the Kirk, toward's Peter Morrison's in Saint Patrick.

Twenty pounds for the road from the late William Wilson's Farm towards the Rolling Dam in Saint Patrick.

Twenty five pounds for the road from the Rolling Dam in Saint Patrick towards Bartlett's.

Twenty

Bye Roads in
Charlotte,
Continued.

Twenty five pounds for the road from Chase's Corner in Saint Patrick towards Edwin Foster's.

Sixteen pounds to remunerate the Commissioner for new covering the Rolling Dam Bridge.

Fifteen pounds for the road from Saint Patrick's Lake towards William Cressey's.

Ten pounds for the road from the Great Road to Hugh Burns' in Saint Patrick.

Twelve pounds for the road from Henderson's Crotch to John Cuning's in Saint Patrick.

Forty eight pounds ten shillings towards the building of a Bridge over the River Digdeguash at the point of intersection of the two lines of road, the one leading from Roix's to Saint Stephen, and the other from Pleasant Ridge to Saint Andrews.

Twenty five pounds for the road from the main road leading from the Bocabec Lake to the Grove Settlement, to continue and clear out the same to the new road to Pleasant Ridge; six pounds of the said sum to be laid out between Kyle's Farm and the Crotch of the said road.

Ten pounds for the road from the Chiputnecticook Ridge to Daniel Campbell's in Saint James.

Ten pounds for the road from John Pomeroy's to the Kirk in Saint James.

Twenty pounds for the road from John Pomeroy's to the Little Ridge in Saint James.

Ten pounds for the road from Hitching's Mill to the Little Ridge in Saint James.

Fifty pounds for the road from Samuel D. Watson's to Hitching's Mill in Saint James.

Fifteen pounds for the road from Spence's to Clarke's Point in Saint James.

Fifteen pounds for the road from the Kirk over the Basswood Ridge to Oak Hill in Saint James.

Twenty pounds for the road from the Long Bridge over the Old Ridge and Oak Hill in Saint James to the Canous Stream.

Twenty seven pounds ten shillings for the road from Peak's to the farthest part of the Baillie Settlement in Saint James; nine pounds of which to be laid out on the Causeway near Sherman's Oat Mill, and nine pounds on the Gardner Hill.

Ten pounds for the road from the main road, through the burnt land across the Upper Moannes Bridge to the Kirk in Saint James.

Twenty pounds for the road from the Lynnfield Road to Mrs. M'George's and thence to the Baillie Settlement Road.

Ten pounds to straighten the road from the Fenderson Bridge to Daniel Gitchell's in the Lynnfield Settlement, Saint James.

Ten pounds to straighten and improve the road from the Dewolf Dam to Ewart's in Saint James.

Ten pounds for the road from Mill Town to Richard Barter's in Saint Stephen.

Thirty pounds for the road from Samuel Stuart's to the Basswood Ridge in Saint James.

Forty pounds for the road from the late James Symond's to the farthest extremity of the Little Ridge in Saint James.

Twenty pounds for the road from the Burnt Hill to the Moannes Settlement, and to fill up a ravine near Jacob Libby's in Saint Stephen.

Ten pounds for the road from the Ledge to the head of Oak Bay in Saint David.

Thirty pounds for the new road from the Ledge to Oak Point in Saint Stephen.

Twenty

Twenty pounds for the road from Burnt Hill to Hill's Meadows in Saint Stephen.

Bye Roads in
Charlotte,
Continued.

Twenty pounds to complete the opening of the road from Roix's, through the Parish of Saint Patrick, towards the head of Oak Bay in Saint David.

Ten pounds for the Upper Indian Point Road in Saint Andrews.

Forty one pounds for the continuation of the Frye Road, towards Connick's, in Saint Andrews Parish.

Fifteen pounds for the road from the Saint Andrews Road to Chamcook Lake, through the Greenlaw Settlement in Saint Andrews Parish.

Forty pounds for the road from the Widow Connick's to William Eill's Farm, to avoid the Hills on that road in Saint Andrews Parish.

Five pounds for the road from Saint Andrews to Joe's Point in Saint Andrews Parish.

Seven pounds for the road leading to the Bar at Minister's Island, in Saint Andrews Parish.

Ten pounds for the road leading from Hugh Thompson's, by the old road, to John Wilson's in Saint Andrews Parish.

Ten pounds for the road from the Poor House to John M'Curdy's, in Saint Andrews Parish.

Seventeen pounds for the road from Big Beach to Curry's Cove in the Island of Campo Bello.

Seventeen pounds for the road from Curry's Cove to Todd's Field in Campo Bello.

Thirty four pounds for the road from Welch Pool to Ship Cove in Campo Bello.

Forty four pounds for the road from North West Harbour Bridge to Clam Cove, and thence to the North Harbour Public Landing in Deer Island.

Ten pounds for the road from the Upper Settlement by Seal Cove in Grand Manan.

Fifteen pounds for the road from Seal Cove Bridge, southerly, in Grand Manan.

Fifteen pounds for the road from Grand Harbour to Nathan Gupstan's in Grand Manan.

Twenty pounds for the road from the Mill at Green's Brook to the Dock at Long Island Bay in Grand Manan.

Twenty pounds for the road from Seal Cove Heath to Seal Cove School House in Grand Manan.

Fifteen pounds for the road from John Dogget's to Woorster's Shop in Grand Manan.

Twelve pounds for the road from Abner Bingham's to John Sprague's, Junior, on the Hill Road in Grand Manan.

SUNBURY BYE ROADS.

Bye Roads in
Sunbury.

Forty pounds for the road from George Boon's to Ralph Seely's.

Seven pounds ten shillings for the road from Isaac Cogswell's to the Garey Road.

Ten pounds for the road from George Morrow's House to the South Branch Road.

Twelve pounds ten shillings for the road from Jeremiah Smith's to the Garey Road.

Twenty pounds for the road from Richard Kimball's Farm to John Bell's.

Ten pounds for the road from South Branch Road to Scoullar's Mills.

Bye Roads in
Sunbury,
Continued.

Ten pounds for the road to a new Settlement, near Walter Patterson's.

Twenty pounds for the road from South Branch Bridge to Thomas Hartt's.

Forty five pounds for the road from Thomas Hartt's to Solomon Tracey's, and to build a Bridge over the Morances Stream.

Fifty pounds for the road from Rushagonis to Hartt's Mills.

Fifteen pounds for the road from Hartt's Mills to Diamond Square.

Fifteen pounds for the road from Burpe's Mill, through the Gordon Settlement.

Fifteen pounds for the road from William Dow's to J. M. Wilmot's Farm.

Forty pounds for the road from Rushagonis to William Dow's.

Twenty pounds for the road from John Bell's to Burpe's Mill.

Ten pounds for the road from the road near Jones' at Rushagonis, to the Oromocto River, opposite John Wood's.

Forty pounds for the road from Ralph Seely's to the Widow Kirkpatrick's; the balances due for building Bridge at Back Creek, and also to raise the road near John Seely's, to be taken out of the same.

Thirty pounds for the road from the Widow Kirkpatrick's to the County Line between Queen's and Sunbury.

Twenty pounds for the road leading from Thomas Hartt's to Thomas Mersereau's.

Ten pounds for the road leading from the South Branch Road to John M'Lauchlan's.

Ten pounds for the road from Thomas Hartt's to the Public Landing.

Fifteen pounds for the road from John Peabody's to John Morgan's, the balance due Thomas Smith, Junior, for building a Bridge at Thomas Smith's, to be paid out of the grant for last year not yet expended.

Ten pounds for the road from Jeremiah Gillan's to Abner Mersereau's.

Fifty pounds for the road from the French Lake Road to the Little River Mills in the Parish of Sheffield.

Twenty pounds for the road from Oak Point to Sand Point.

Fifty five pounds for the road from the Highway in Burton at or near Jacob Smith's to the Nerepis Road, the balance due the Commissioner for repairing the road to Stephen Burpe's upper line to be paid out of the same.

Ten pounds for the road from Hamilton's Road to the Little River Road.

Twenty pounds for the road from William Boon's to Thomas Stennick's.

Ten pounds for the road from Scoullar's Mills to Clapman Smith's, Junior.

Ten pounds for the Bridge at the Blind Thoroughfare.

Five pounds for the road from William Armstrong's to James Mills'.

Ten pounds for the road from Andrew Smith's to James Johnston's.

Ten pounds for the road leading from John Nason's, Senior, Farm to the Rushagonis Road.

Five pounds for the road opposite Charles Duplissa's to the Highway in Blissville.

Fifty pounds to pay the balance due for building a Bridge over the North Branch of the Oromocto.

Ten pounds for the road from the Nerepis Road to Nevers' Mill.

Ten pounds for the road from John Mersereau's Farm at Shaw's Creek, to the Oromocto.

Twenty pounds from the Garey Road to a new Settlement above Nevers' Mill.

Fifteen pounds from French Lake to Burpe's Mill in Sheffield.

Fifteen pounds to assist in building a Bridge over Burpe's Mill Stream in Sheffield.

Ten pounds for a road from Patrick M'Lauchlan's to the South Branch Road.

Fifteen pounds from Jeremiah Tracey's, Junior, to Edmund Creekmore's.

NORTHUMBERLAND BYE ROADS.

Bye Roads in
Northumberland.

Fifteen pounds to open and explore a road from Lower Neguac to Stymist's Mill in the Parish of Alnwick.

Ten pounds to open and explore a line of road from White's Brook, below Oak Point, back to the road from Bartibog to Tabusintack.

Three hundred and forty six pounds towards improving the road from Bartibog to Burnt Church; of which sum two hundred and three pounds six shillings and ten pence to reimburse Alexander Goodfellow the amount over expended by him.

Twenty pounds to improve the road from M'Innes' Creek to Point Aux Car.

Ten pounds to improve the road from M'Knight's Mill, Napan, to M'Innes' Creek.

Four pounds ten shillings to pay John Creighton the balance of his contract for the erection of a Bridge across Napan River.

Ten pounds to assist in the erection of a Bridge on the Black River at Weed's Landing.

Ten pounds to continue and connect the rear road in the Parish of Chatham with the road leading to the back Lots in rear of John Henderson's Farm.

Ten pounds to open a road in front of Carrol's and Fitzpatrick's Farm on the third tier of Lots.

Ten pounds to improve the road to the rear Lots next below the Parsonage, Chatham.

Ten pounds for the road from William Dickens' residence to Bay du Vin River at the City landing.

Forty pounds towards improving the road run by C. J. Peters, Esquire, on the north side of Black River, from the Richibucto Road to the Bridge across the Black River.

Ten pounds to improve the road between Black River Bridge and the Little Branch Bridge.

Twenty pounds to assist in building a Bridge across Miller's Brook near Little Branch Bridge, and cutting down the steep banks leading thereto.

Ten pounds to improve the road between Little Branch Bridge and Horton's Creek.

Thirty pounds to improve the road from Horton's Creek to John M'Donald's Farm on the Bay du Vin River.

Twenty pounds to improve the road from John M'Donald's Farm, to Kingston's Farm on Bay du Vin River.

Ten pounds to open and improve the road between Little Branch School House and the upper Settlement.

Fifteen pounds to improve the road from Dickens' Farm to Bay du Vin River Mills.

Ten pounds to open and improve the road surveyed from the Hardwood Lots, near Escuminac, to the shore on the front of Lot Number Nine owned by Henry Sergeant.

Fifty five pounds towards the road from George Williston's Farm to Eel River; five pounds of which to be expended in opening the road from George Williston's property to Alexander Williston's upper line.

Fifteen pounds to improve the road leading from Napan between Wilson's and Carruther's Lots to Forrest's, at the Rock Heads, Chatham.

Twenty pounds towards improving the road from William Hogan's Farm to M'Allister's in the Parish of Blissfield.

Fifteen

Bye Roads in
Northumberland,
Continued.

Fifteen pounds towards exploring and opening a road from Cain's River on the south side of the South West Branch of Miramichi up till it strikes the road to the Settlement on Cain's River, coming out at John Donalds'.

Thirty pounds towards improving the new line of road on Cain's River.

Twenty five pounds to improve the road from Doak and M'Laggan's Mills to the upper Settlement on Bartholomew's Mills.

Twenty five pounds to improve the road from Doak and M'Laggan's Mills to the mouth of the Dungarven on Renous River.

Ten pounds to improve the road from Bartholomew's Mills to the Forks.

Twenty pounds to improve the road on the north side of Renous River between Indiantown and Lee's Farm.

Twenty pounds to improve the road on the north side of Renous River from Lee's Farm to James Donaldson's Farm.

Sixty pounds to improve the road from Cuppage and White's to James Holme's Farm on the Little South West.

Thirty five pounds to improve the road from Cuppage and White's to Beaubair's Point.

Twenty pounds to improve the road from the North West to the South West Branch of Miramichi through the Williamston Settlement.

Ten pounds to improve the road from the Meeting House below David Tozer's to the M'Lean Settlement, Williamston.

Ten pounds to improve the road from Jared Tozer's upper line from the North West to the lower Williamston Settlement.

Twenty pounds to explore and open a line of road from Fraser's Lot, head of the North West, to Ledden's Red House.

Twenty pounds to improve the road from the New Road leading through Menzie's and Beachum's Lots on the north side of the North West.

Seventy pounds to complete the road through Stewart's and Watt's Farms on the north side of the North West, and to repair the Bridge across M'Kay's Cove, and to pay the balance due to James Laurie.

Forty pounds to improve the road laid out by D. Crocker on the south side of the South West, and the Bridge near Doyle's and Tobin's Farm.

Twenty five pounds to improve the road on the east side of Barnaby's River to Hutchison's Farm.

Ten pounds to improve the road on the east side of Barnaby's River from Hutchison's Farm to John Morrison's.

Fifteen pounds to improve the road from Saunders' Grist Mill to the Settlement on the right hand Branch of Barnaby's River.

Twenty pounds to improve the road on the south side of Barnaby's River to the Semiwagan Ridge.

Twenty pounds to improve the road between Nelson Village and Barnaby's Island.

Seventy five pounds to improve the road from George Flitt's Farm to Barnaby's River, through the Noulund Settlement; of which sum sixty six pounds and three pence to be paid David Crocker, being the balance due him.

Ten pounds to improve the road from Sutton's Barn to the third tier of Lots.

One hundred pounds to improve the road from Newcastle to Chaplain's Island.

Nineteen pounds ten shillings to improve the road from Wild Cat Brook, through the Indian Reserve, to Peabody's Farm, New Richmond.

Fifteen pounds towards the erection of a Bridge across Green Brook near M'Mahon's Farm.

Thirty

Thirty pounds towards exploring and opening a road continuing the road in rear of Morefield's, along the front of the second tier of Lots, to the Bathurst Road. Bye Roads in Northumberland, Continued;

Ten pounds to improve the road leading to Richard Coulter's Farm from Dixon's Ferry.

Ten pounds to continue the road between Edgar's and Woodside's Lot, and to continue the same to the Lamont and Jessamine Settlements.

Fifteen pounds to cut down the Steep Hill and continue the road from Duncan Stewart's Lot towards Morefield's.

Twenty pounds to improve the road from Cassey's to Rust's Farm, and from thence to the Chaplain Island Road.

Twenty pounds to improve the road up the north west from where it strikes off above Fiddes' through the Indian Reserve.

KING'S BYE ROADS.

Ten pounds for the Bridge over the Pequoket Brook on the road between Hampton Ferry and the Court House. Bye Roads in King's.

Ten pounds for the road from Pickett's by Ketchum's Brook to the shore road, Kennebeckasis.

Ten pounds for the road from Isaac Perry's to John Dixon's.

Twenty pounds for the road from Captain Perry's to the Great Road near George Raymond's.

Fifty pounds for the new road by the Point of the Mountain, between Waddle's Mill and Justus S. Wetmore's.

Fifteen pounds for the road from Wetmore's Mill, Kennebeckasis, to the Midland on the road to Crawford's, Long Reach.

Fifteen pounds for the road from White's Mill to the Midland on the road to Henry Williams', Long Reach.

Ten pounds for the new road from Roulston's by White's Mill Bridge to its junction with the old road.

Ten pounds for the neck road from near Seely's Point, Long Reach, to the Kennebeckasis.

Ten pounds for the road along the west side of Long Island, Kennebeckasis.

Ten pounds to Benjamin White, Commissioner in one thousand eight hundred and thirty nine, to enable him to pay the balance of a contract for a Bridge and approaches on south east side of Long Reach.

Ten pounds for the Midland Road between Samuel Kingston's and the neck road.

Ten pounds for the road from the Public Landing near Nathaniel Gorum's to the main Kingston Road.

Fifteen pounds for the road between Kiersted's on Kingston Creek and Bates' Mills.

Fifteen pounds for the road from Alexander Black's to the Court House.

Ten pounds for the road from Erbe's Landing to Peter M'Kenzie's.

Fifteen pounds for the road from Pickett's Mill to Bellisle; ten pounds thereof to be expended between the Lake Bridge and the Pier's Road.

Ten pounds for the Pequoket Road.

Ten pounds for the road from the Fowler Settlement to that of Mitchell and others in Westfield.

Fifteen pounds for the road from the Nerepis Road to Woodward's Mills.

Bye Roads in
King's,
Continued.

Ten pounds for the road from Bilberry Point to Kennedy's Mill on the eastern Nerepis road.

Ten pounds for the road from Goose Creek to Salmon Rock.

Ten pounds for the road from the Long Reach to the Cheyne Settlement.

Fifteen pounds for the road from the second tier of Lots to Stephen Cronk's, and thence to Creagh's; one half of said sum to be expended between Cronk's and Creagh's.

Ten pounds for the back road from the Greenwich Parish line to Cheyne's.

Ten pounds for the road from Cheyne's to the Salmon Rock.

Ten pounds for the road from the Kingston Parish Line to Beattie's Point, at the entrance of the Milkish Creek.

Ten pounds for the road from M'Coy's eastern line to Robert M'Cluskey's eastern line, near Land's End.

Twenty pounds for the winter road from James B. Lyon's, Long Reach, to the Milkish.

Ten pounds for the road from the School House, near Harding's, to Land's End.

Ten pounds, one half of said sum to be expended between Hugh Morris' and Anderson Worden's, the remainder to reimburse Isaac Harrison for repairing the Bridge over Armstrong's Creek.

Ten pounds for the road from the County line, near John Jones', to William Vanwart's in Greenwich.

Ten pounds for the road from the Widow Flewelling's lower line towards Charles Richard's.

Ten pounds to cut down Flaglor's Hill, and improve the turn of the road near the Bridge.

Six pounds to improve the Public Landing at Jones' Creek, and the road thence towards the Bridge.

Fifteen pounds for the road from Bicket's to Hickey's in second tier of Lots.

Ten pounds for the road from Hickey's, by Andrew Hamilton's, to the County line.

Ten pounds for the road from the Cross Roads to the Widow Sterrett's, and thence towards George Bogle's.

The sum of ten pounds for the Yorkshire Road, between the County line and the Widow Lynch's.

Fifteen pounds for the Menzie Settlement Road; five pounds thereof to be expended between the School House and Johnston's Mill, the remainder to improve the road commencing at Wayland's and thence towards the Yorkshire Road.

Ten pounds for the new road between Joseph Wallis' and Thomàs Wallis'.

Fifteen pounds for the road from James M'Keel's, through second tier of Lots, to the Westfield Parish line, out of which sum a Bridge to be built near Lemuel Crabb's.

Ten pounds for the Causeway near Worden's Field, and otherwise to improve the road between the Settlement in rear of Greenwich Hill and the Shore.

Ten pounds for the road from Jenkin's to Thomas Brayman's.

Ten pounds for the road from John Vanwart's to the County Line towards the London Settlement.

Ten pounds for the new road from the Widow Merritt's across the Lots to the road running along the side of the Jenkin's Lot.

Ten pounds for the new road from Robert Jones', leading by the side of Jesse Jones' Cove to the River.

Ten pounds for the road from James Lake's north west of Bellisle to the Settlement of John Ricker and others.

Ten

Ten pounds for the road from Spragg's Point to the Henderson Settlement.

Ten pounds for the road from Donald Buchanan's to the junction of the road leading from Hatfield's Point to the School House.

Bye Roads in
King's,
Continued.

Ten pounds for the road leading from the Big Brook by William Wetmore's to James Lake's.

Ten pounds for the road from Ely Northrup's to the eastern Scotch Settlement.

Ten pounds for the road from the eastern Scotch Settlement road to the County line towards the Waterloo Settlement.

Ten pounds for the road from the School House near M'Lauchlan's to the County Line toward Shearer's.

Ten pounds to complete the Bridge between Peter Spragg's and the Baptist Meeting House.

Ten pounds for the road from the Scotch Kirk to Donald M'Lauchlan's in east Scotch Settlement.

Ten pounds for the road from the Scotch Kirk to Forbes' in the western Scotch Settlement.

Ten pounds for the road from Thomas Henderson's by Ingram's and Gardener's to the road leading from Maxwell's to Redstone's Mill.

Twenty five pounds for the main road from the head of Bellisle to English's leading towards the Mill Stream.

Ten pounds for the road from Edward Kirk's to the School House at Isaac Crawford's on the road leading from the Bellisle to the Mill Stream.

Ten pounds for the road from English's on Bellisle towards the Mill Stream by way of Sharp's.

Ten pounds for the Guthrie Road.

Ten pounds for the road from Doctor C. Wilson's to John Foster's.

Ten pounds for the road from Redstone's Mill by Burnett's towards the English Settlement.

Twenty five pounds for the road from Hale's Corner to Hase's in Norton.

Ten pounds for the road from R. Colpitt's to Thomas Coate's Mill ; out of which sum six pounds to be paid to John Price, Junior, to enable him to fulfil contracts for labour done on the said road.

Ten pounds for the road from Amos Sartell's to James Howe's.

Forty pounds to build a Bridge over the Stream near Rulon's.

Ten pounds for the road from Kelly's by way of Duncan Kier's to M'Comb's place.

Ten pounds for the road from Barney Mulholland's to the School House on the road from Moses Hodges' to the Salt Spring Settlement.

Ten pounds for the road from Thomas Saunders' to Isaac Monger's.

Ten pounds to aid in opening a road from James Prince's to the Main Bye Road.

Ten pounds for the road from the Church at Gondola Point by John Wright's to the Post Road.

Fifteen pounds for the road leading from George Prince's to the Post Road.

Fifteen pounds for the road between Gondola Point Church and Sherwood's Cove.

Ten pounds for the new line of road leading from Palmer's Road (so called) to the School House in Golden Grove Settlement.

Ten pounds for the road from Golden Grove School House to the County line towards Saint John.

Ten

Bye Roads in
King's,
Continued.

Ten pounds for the road from Thomas Palmer's to the County line towards the head of the large Loch Lomond.

Ten pounds for the road from the late James Smith's Mill to Saint John County line towards the second Loch Lomond.

Ten pounds for the road leading from the late James Smith's Mill to the Golden Grove near Hasting's.

Ten pounds for the road from the South Stream Bridge by John M'Affee's to the County line.

Ten pounds for the road from near Charles Robinson's Hammond River to Andrew Bull's.

Fifty pounds for the new road from Barnes' to the Church near Upham's.

Ten pounds for the road from the Hammond River to the County line towards Quaco by James Tabor's.

Ten pounds for the road from near W. R. Sentill's Mill to Hammond River.

Fifteen pounds for the new line of road leading from the Shepody Road near Noah Tabor's to the County line towards Quaco.

Ten pounds to rebuild the Bridge over the Brook near Samuel Lackie's.

Ten pounds for the road from John Robinson's to James Campbell's.

Ten pounds for the road from James Campbell's to Patrick Smith's.

Ten pounds for the road from Patrick Smith's to Deforest's Lake.

Ten pounds for the road from Deforest's Lake to John Sherwood's Mill.

Ten pounds for the road from William Scott's to Aaron Scott's.

Thirty eight pounds to pay for a new Cutwater and sundry repairs to the Hammond River Bridge, near Barnes'.

Ten pounds for the road from Samuel Godard's to William Gray's.

Ten pounds for the road from Antone Clane's to Haley's.

Ten pounds for the road from James Hayward's to the South Branch Road near Godard's.

Fifteen pounds for the road from Beckwith's to Charles Gayley's.

Fifteen pounds for the road from Beach's to Beckwith's.

Ten pounds for the road from Lockhart's to Perry's.

Ten pounds for the road from Perry's to Josiah Keith's.

Ten pounds for the road from Perry's to Queen's County line.

Ten pounds for the road from Bigford's to the new road leading from Sussex to Saint John.

Ten pounds for the road from near Hayward's Mills to the Settlement of John Abraham and others.

Ten pounds for the road from Peter Freyer's upwards to William Price's.

Fifteen pounds for the road from the Campbell Settlement to the Salt Spring Settlement in Upham.

Ten pounds for the road from Daniel Baxter's to Sidney Baxter's.

Ten pounds for the road from John Drury's to Campbelltown.

Fifteen pounds for the road lying on the line between Thomas Herritt's and Abraham Fairweather's.

Ten pounds for the Bridge and Road passing Walton's Mills.

Twenty pounds for the Bridge and Road from John Snider's, on Mountain, to the School House near Folkin's at the Mill Stream.

Twenty pounds for the road from near William Ryley's place to David Kierstead's.

Fifteen pounds for the road from Ezekiel Foster's to the Queen's County line, through the English Settlement.

Fifteen pounds for the road from Abel English's to the junction of the road near E. Foster's. Bye Roads in King's, Continued.

Ten pounds for the road from Joel Fenwick's to Ezekiel Foster's.

Ten pounds for the approaches to the Bridge near Ulis Haney's over the Mill Stream; of which five pounds to be laid out between William M'Leod's, Junior, and Ulis Haney's.

Twenty pounds for the road from near James Caruth's to near Coate's Mill by way of John Spellane's.

Ten pounds for the road from near James Knowles' to the road near Jacob Wright's by way of Conal O'Boyle's.

Ten pounds for the road running through the White Mountain Settlement extending to the Main Smith Creek Road.

Ten pounds for the road from George Manning's to John Dobson's, Junior.

Fifteen pounds for the road from the Post Road near Samuel Stockton's to Smith's Creek by way of Jacob Snider's.

Ten pounds for the road from Moses Chamber's, Junior, to William Kyle's at the Cedar Camp.

Ten pounds for the road from near Smith Chapman's to William M'Knight's.

Ten pounds for the road from Ellison's to the Norton line by way of Sproul's.

Ten pounds for the road from William Sinnett's to the Methodist Chapel at the Mill Stream.

Ten pounds for the road from John Little's to Thomas Murray's on the New Canaan Road.

Ten pounds for the road from Charles Gayley's to John Ryan's.

Six pounds for improving a Hill near Richard Roche's.

RESTIGOUCHE BYE ROADS.

Bye Roads in Restigouche.

Fifty pounds for the road from James Christopher's to Flat Lands.

One hundred pounds for the road from the Glebe Lot to James Christopher's Brook.

Sixty pounds to build a Bridge over Pratt's Brook and approaches.

Thirty pounds to build a Bridge over Pollock Brook and approaches.

One hundred pounds for the road from Christopher's Brook to the Settlement on the Portage road leading to the Forks of the Upsalquitch River.

Twenty pounds for the road leading to the Sugar Loaf Mountain Settlement.

Twenty pounds for the road from Maple Green to the Settlement in rear.

Thirty pounds for the road from the Town of Dalhousie to the Crocker line, so called, in rear of H. Montgomery's.

Sixty pounds for the road from the Settlement at Eel River Forks to the Great Road near Dalhousie.

Forty pounds to open a road on the south side of Eel River Gully to the Settlement at the Forks.

Thirty pounds for the road to the Mountain Brook Settlement, to be expended on the line leading in between Craigh and Laviolette.

Thirty pounds for the road leading to Glenburnie Mill Settlement.

Ten pounds for the road leading from the Mill Road to Trafalgar Brook, near Donald Fraser's.

Thirty pounds for the road leading to the Settlement on River Charlo, in rear of Alexander M'Pherson's.

Thirty pounds for the road to commence where the line dividing Lots Numbers

Bye Roads in
Restigouche,
Continued.

Ten and Eleven intersects the new line of the Great Road (leading from Branches' to River Charlo), and from thence following the said dividing line to the shore of the Bay de Chaleur.

Fifteen pounds for the road leading in from the Great Road on the line between Lots Numbers Ten and Eleven, above mentioned, to the Settlement in rear, near Murdoch's.

Twenty pounds for the road from Nash's Creek to the Settlement in rear.

Fifty pounds for the road to Doyle Settlement, leading in on the line dividing Lots Numbers Six and Seven.

Ten pounds for the road leading in between Branches' and M'Kenzie's.

Ninety pounds to open the road from the Flat Land Settlement, on the south side of the Restigouche River up the mouth of the Upsalquitch River.

SAINT JOHN BYE ROADS.

Bye Roads in
Saint John.

One hundred and thirty pounds for the road from Blakslee's Farm to Little River; of which one hundred and twenty one pounds eleven shillings and five pence to be paid to R. Calvert, for balance of Bridge over Little River.

Fifty pounds for the road from Frog Pond to Loch Lomond.

Twelve pounds for the road from Black Settlement Road to Garnet's.

Fifty pounds for the road from Garnet's to Emerson's Creek, Mountain Road, so called.

Twenty pounds for the road from Little River to Mispic, onwards.

Twenty five pounds for the road from Little River to Loch Lomond.

Forty pounds for the road from Little River to Black River, to be expended from east side of Calvert's Farm to Black River.

Twenty five pounds for the road from the old Westmorland Road, through the Golden Grove Settlement, and to build a new Bridge over Wooten's Mill Stream.

Twenty pounds for the road from the Bridge at Cody's to head of first Lake.

Sixty pounds for the road from head of first Lake to Quaco.

Twelve pounds for the road from Mispic Mills to Cape Spencer.

Twenty five pounds for the new road opened by Brown and others, past Brown's Mill to Tynemouth.

Fifteen pounds for the road from Black River to Emerson's Creek, and thence to Gardiner's Creek, including a Causeway from the new Bridge over Emerson's Creek to the Hill at the School House, south side.

Five pounds to improve Wallace's Hill, Black River Settlement.

Ten pounds for the road from Cother's Road, so called, to County line, towards late Miller Smith's.

Fifty pounds for the road from Black Settlement Road to Wilmot's Farm on Quaco Road, Back Road, so called.

Twenty pounds for the road from the Quaco Road, through Ryan's Settlement, to the New Shepody Road.

Ten pounds for the road from the Valley Road, near Millican's, to the County Line, towards Hammond River.

Twenty pounds for the road from Quaco to the County Line, near Tabor's, Old Quaco Road.

Twenty pounds for the road from Dipper Harbour School House to the Saint Andrews Road.

Ten pounds for the road through Bloomsbury Settlement to intersect the M'Britanny Road.

Fifteen pounds for the road from John Davidson's to the Old Quaco Road.

Ten pounds for the road from Millican's Road past Cain's to County Line, to be expended from County Line past Cain's.

Bye Roads in
Saint John,
Continued.

Ten pounds for the road from Quaco Road to Tynemouth, by John Brown's.

Ten pounds for the road from Black Beach to Pisarinco.

Ten pounds for the road from Sand Cove to Main Road.

Twenty pounds for the road from Quaco Road to Barns' Mill, Mill and Church Road, to be expended from Quaco Road onwards.

Twenty five pounds for the road from Cody's to the School House in Hibernia Settlement.

Twenty pounds for the road from the above School House to the Forks of the road opened by Brown and others.

Twelve pounds for the Bridge across the Creek at Craft's Mill, on the road to Saint Andrews.

Fifteen pounds for the Bridge over Gardner's Creek.

Ten pounds for the road from Mahar's west line to Harding's Mill.

Twenty five pounds for the road from Highway near Delany's to the Kennebecasis.

Fifteen pounds for the road leading to Sand Point.

Twenty five pounds for the road from Indian Town to Kennebecasis, opposite the Brothers'.

Ten pounds for the road from Boar's Head to the road near M'Croskin's.

Twenty five pounds towards completing the Bridge over Spoon Cove, on the Highway near Indian Town, past M'Kay's Mill.

Fifteen pounds for the road from the Narrows of Musquash to the Saint Andrews Road.

Fifteen pounds for the road from Black Beach to the Saint Andrews Road, by way of the Irish Settlement.

Ten pounds for the road from Hatfield's Mills to John M'Namara's.

Ten pounds for the road from the Settlement near Menzie's to the Saint Andrews Road.

Fifteen pounds for the road from the Quaco Road to the County Line near Read's Farm, Cother's Road, so called.

Ten pounds for the road from Barry's Mills to the Loch Lomond Road.

Ten pounds for the road from M'Britainny's Road, past M'Claren's Mill, to Bay Shore.

Twenty pounds for the road from the Shepody Road, at or near Schoale's, to the Great Salmon River.

Twenty pounds for the road from Great Salmon River to Quaco.

Twenty pounds for the road from Great Salmon River to the Shepody Road.

Twenty pounds for the road from the Bridge at Tynemouth, leading across the Marsh, and thence to Quaco, by the Shore Road.

Fifteen pounds for the road from the Forks of the M'Britainny's Road to Tynemouth, by way of Frazer's Mill.

Twenty five pounds for the road from Power's Farm to Quaco, new Quaco Road.

Twelve pounds for the road from the Hibernia Settlement to the Quaco Road.

Ten pounds for a Bridge over the Stream on the road leading to Ellison's, past Smith's, in vicinity of Black River.

Five pounds to assist the inhabitants to build a Bridge over Mispes Stream, on the road leading down the east side of said Stream.

Fifteen

Bye Roads in
Saint John,
Continued.

- Fifteen pounds for the road explored from Stanley's to West Beach.
- Ten pounds for the road from Black River Road to Mount Prospect.
- Thirty pounds towards reimbursing Hugh M'Kay for Bridge over M'Kay's Mill Stream.
- Seven pounds to improve the Portages between the different Lakes (Loch Lomond) to facilitate Winter travelling.

Bye Roads in
Queen's County.

QUEEN'S BYE ROADS.

- Ten pounds for the road from Inches' Corner to the Morrell Road in the Jerusalem Settlement.
- Ten pounds for the road leading from David Spete's to Henry Lyons' so called.
- Ten pounds for a new line of road leading from Henry Lyons' Road, on the line between Isaac M'Keel's and Robert Loury's to the Jerusalem Settlement.
- Twelve pounds ten shillings for the road leading from Morrell's Corner in the Jerusalem Settlement to Henry Lyon's Bridge.
- Ten pounds for the road leading from Elder's Corner on the George Lyon's Road to the Jerusalem Settlement.
- Ten pounds for the road leading northerly from Park's Corner to the Gagetown Road.
- Ten pounds for the road leading from Scovil Roberts' Corner to the New Ireland Settlement.
- Fifteen pounds for a new line of road on the eastern side of the Nerepis Road through the Robb Settlement, and from thence to the Bridge on the Gagetown Road, and for a Bridge over a Stream crossing the above road called the North East Branch.
- Ten pounds for the road leading from the Gagetown Road to the Nerepis Road by way of Gabriel Fowler's.
- Ten pounds for improving the George Lyon's Road.
- One pound three shillings to Joseph B. Perkins' to remunerate him for an over expenditure last year on the road from Parks' Corner to Burgess' Corner.
- Fifteen pounds for the road between William Polly's across the Nerepis to meet the road running parallel to the Gagetown Road between Corbett's Road and Hugh Quinn's.
- Ten pounds for improving that part of the New Ireland Road leading to Sanburn's Mill between John Matthews' and Roberts' Corner.
- Seven pounds ten shillings for the road from Sanburn's Mill to Robert Davis' Mill.
- Twenty five pounds for the road from Ocnabog Bridge to Brown's and thence to New Ireland.
- Thirty two pounds ten shillings for improving the road between Samuel S. Peters' and Great Valley Brook on the main road leading to Gagetown.
- Twenty pounds for improving the road leading to the Ocnabog Bridge between the second and third tier of Lots in the New Ireland Settlement.
- Twenty five pounds for the road from William Clark's, Little River, to the Jerusalem Settlement.
- Fifteen pounds for the road from Burgess' Corner past William Redstone's Mill to Park's.
- Fifteen pounds for the road from William Jones' upper line to the Gagetown Road on the western side of the Nerepis River.
- Ten pounds for the road from Mahood's Corner towards the main river to the King's County line.

Ten

Ten pounds for the road from William Graham's to the King's County line by way of Polly's Corner.

Bye Roads in
Queen's,
Continued.

Seven pounds ten shillings for the road from Thomas Wetherall's, Salmon Creek, to Thomas Thorn's.

Seven pounds ten shillings for the road from Salmon Creek School House to Owen Mullaly's, Waterloo Settlement.

Seven pounds ten shillings for the road from the New Post Road to Richard Griffith's, Waterloo Settlement.

Five pounds for a Bridge across the North Branch of Lewis Cove on the above road.

Five pounds for a Bridge across Salmon Creek at Thomas Wetherall's Mill.

Eight pounds ten shillings to complete the Causeway and Bridge over the Beaver Dam in the Parish of Wickham.

Twenty pounds for the Highway leading from Robert Golding's to the lower part of the County.

Fifteen pounds to complete the Causeway near Vanwart's Mill.

Ten pounds for the road leading from Murray's Mill in the English Settlement to the Waterloo Settlement, east.

Five pounds for the road between Thomas Robertson's and Mill Brook in the Parish of Wickham.

Seven pounds ten shillings for the road between Mill Brook and John Shaw's Mill.

Five pounds for the road from Andrew Somerville's to the County line.

Twelve pounds ten shillings for the road from John Huggard's Bridge to the Post Road near Farmer's.

Five pounds for the road from Lewis' Cove to John Shaw's Mill.

Ten pounds for the road from the County line near William Henderson's to John Wilson's.

Ten pounds for the road from the Cross Road near Thomas Keaton's to the Shannon Settlement.

Twenty five pounds for the road from Oak Point to Thomas Ellison's.

Ten pounds for the road from Oak Point to the Washademoak.

Ten pounds for a Bridge and Causeway near Samuel Burns'.

Five pounds for the road from Shaw's Mill Brook to the Cross Road.

Twelve pounds ten shillings for the road from John Thompson's to Ebenezer Perry's, Washademoak.

Seven pounds ten shillings for the road from John Thompson's, Salmon Creek, to Hall's, English Settlement.

Twelve pounds ten shillings for the road from George Burk's to Archibald M'Vicar's, Coal Creek.

Ten pounds for the road from George Burk's to Number Twenty Brook, south side of Grand Lake.

Twelve pounds ten shillings for raising on the Bridge across George Burk's Brook.

Fifteen pounds for the road from Cumberland Bay Bridge to George Burk's.

Ten pounds for the road on the south side of Cumberland Bay, from Main Road to Branscomb's Mill.

Thirty pounds for the road from Cox's Point to Branscomb and M'Lean's Mill, and from the Mill to the Bridge.

Twelve pounds ten shillings for the road from Abraham M'Guigam's upper line to Thomas Gilbert's.

Bye Roads in
Queen's
Continued.

Fifteen pounds for the Bridge over Wasson's Creek, on the Road from Jeniseg to Coal Creek, and removing the Hill at the Bridge.

Ten pounds for the road from Wiggin's Mill to James Spence's, Cumberland Bay.

Fifteen pounds for the road from the first range Settlement at the head of the Grand Lake to Cumberland Bay, on the line between Joseph Barton's and Conrad Miller's, on the north side of Cumberland Bay.

Seven pounds ten shillings for the road from Humphrey's Mill Brook to M'Donald's Mill.

Five pounds for the road from the Forks of New Canaan River up to M'Donald's Mill.

Ten pounds for the road leading from David or Samuel Cole's to Donald M'Donald's Mill, south side, and from Donald M'Donald's to the County Line on the Mill Stream Road.

Ten pounds for the road from Cumberland Bay Road, Lot Number Thirty three, to Young's Cove.

Five pounds for the road from the English Settlement to Murray's Saw Mill, Long Creek.

Five pounds for the road from John James to Murray's Grist Mill.

Five pounds for the road from John Henderson's to the English Settlement.

Five pounds for the road from Long Creek to the M'Farlane Settlement.

Five pounds for the road from James Green's to Lower Nerepis Road.

Five pounds for the road from White's Ferry to Widow Watson's.

Ten pounds for the road from Salmon Creek to East Waterloo Settlement commencing at Thomas Wetherall's Saw Mill.

Seven pounds ten shillings for the road leading to the Post Road from Washademoak Lake from Isaac Worden's to Thomas Shearer's.

Twelve pounds ten shillings for the road from King's Brook to Benjamin Fairweather's on the north west side of the Washademoak.

Sixty pounds for the road from Dykeman's Brook to Cox's Mill; one half to be expended on that part of it between Wiggin's Mill and Wasson's Mill.

Seven pounds ten shillings for the road from Wigwam Brook to Nehemiah Bulyea's on Washademoak Lake.

Ten pounds for the road from William Sharp's to the old Post Road.

Ten pounds for the road from David Mason's to Nerepis Brook south side of Washademoak Lake.

Ten pounds for the road from Stewart's to Shearer's.

Ten pounds for the road from John Wilson's to King's County line.

Ten pounds for the road from James Starkey's to John Seacord's.

Ten pounds for the road from mouth of Long Creek to Obadiah Starkey's.

Ten pounds for the road from James W. Cody's to Patrick M'Macklin's.

Ten pounds for the road from Vincent's to Washademoak Lake.

Ten pounds for the road from Oliver Starkey's to David Phillips'.

Ten pounds for the road from John Starkey's to Mordecai Starkey's.

Ten pounds for the road from Thomas Murray's Grist Mill to the King's County line.

Ten pounds for the road from Thomas Murray's Mill to John Johnston's, commencing at the Forks of the road on south east side of said Mill.

Ten pounds for the road from Long Creek to the County line commencing at John Johnston's.

Fifteen pounds for the road from Allen M'Lean's to Cumberland Bay Bridge.

Five

Bye Roads in
Queen's,
Continued.

Five pounds for the road from Richard Barton's to Thomas Harrison's.

Five pounds for the road from Conrad Miller's to Andrew Barton's ; and ten pounds to remunerate Thomas Cox for an expenditure on this road last year.

Seven pounds ten shillings for the road from Cox's Point to Conrad Miller's.

Twelve pounds ten shillings for the road from Joseph Barton's to Elkin's.

Ten pounds to build a Bridge over the Brook below Cornelius M'Namara's between Cox's Point and Coal Creek.

Seven pounds ten shillings to remove the Hill and raise the Bridge at Number Twenty Brook.

Fifteen pounds to explore a line of road from Cumberland Bay to Coal Creek.

Five pounds for the road from lower Mills to upper Mills on east side of Newcastle.

Five pounds for the road to Justin Austin's by way of Coakly's.

Twenty pounds for the road on the south east side of the Washademoak Lake commencing at John Craft's to the road leading to John Shaw's Mill.

Ten pounds for the road from Joseph Joice's to Hugh Parker's, Waterloo Settlement Road.

Ten pounds for the road from M'Surley's, Waterloo Settlement, to Alexander's.

Five pounds for the road from Cox's Point to Beaver Pond.

Five pounds to gravel the Bridge over a Slough on the said Road.

Five pounds for the road from John Granville's upper line to William Melroy's.

Five pounds for the road from Jenkin's upper line to Elkin's lower line.

Seven pounds ten shillings for the road from George Clark's to Cumberland Bay Bridge.

Six pounds for the cross road leading from the Point near David and John Sypher's to the main road.

Fifteen pounds for the road leading from Sypher's Pond to M'Mahon' at Little River.

Fifteen pounds for the road on the north side of Coal Creek commencing at John Lackey's towards the Mills on that Stream.

Forty pounds for the main road from Maquapit Lake to Newcastle, and from thence to Hardwood Ridge.

Ten pounds for the Bridge over a Gully near the Parsonage House in Canning.

Ten pounds to raise and gravel the road on Coy's Point.

Five pounds for the road leading from the new Church to Grand Point.

Twelve pounds ten shillings for the road leading from Jemseg Creek up the Grand Lake, near James Drost's.

Ten pounds for a Bridge over Cranwell's Brook on a new road in the Parish of Waterborough, connected with the Main Road leading up the Lake.

Five pounds for a Bridge over a Creek on the same road near W. White's.

Seven pounds ten shillings for the road leading from Grand Lake, near Gilbert White's, to the back Settlement commonly called the Den.

Twelve pounds ten shillings for the road leading from Richard Cox's Mill, through the back Settlement by Samuel Knight's, intersecting the Great Road leading from Washademoak to Jemseg.

Twelve pounds ten shillings for the road from James Colwell's Farm to the cross road at Gershom Clarke's, on the south east side of the Maquapit Lake.

Twenty pounds for the road from Young's Cove to Washademoak, near Frederick Jenkins'.

Fifteen pounds for the road from Lounsbury's Ferry to the Military Road, so called.

Ten

Bye Roads in
Queen's, County.
Continued.

Ten pounds for the road from Vail's Ferry to the Nerepis Road.

Fifteen pounds for the road to be laid out from the Public Landing, below Gagetown, to the Main Road.

Fifteen pounds for the road from Thomas Carney's, past Simpson's Bridge.

Twenty six pounds for the Bridge over Duck Creek, in the Parish of Gagetown.

Fifteen pounds seventeen for the road from the Sunbury line through the Co-ram and Trafton Settlements, to the Nerepis Road.

Ten pounds granted at the last Session for a road between R. Golding's and John Murdock's to the Bald Hill Settlement, to be applied on the line between Lots Numbers ten and eleven, in the grant to Day and others, from the Highway to the rear.

YORK BYE ROADS.

Bye Roads in
York County.

Thirty five pounds for the new road lately explored from the River Saint John, near Shaw's, to the Howard Settlement.

Five pounds to improve the road from the Howard Settlement to Dow's Mills.

Ten pounds to open and improve a road from the River Saint John to the Roxborough Settlement.

Thirty pounds to improve the road to the Magundy Settlement, through the Poquiock Settlement; out of which a sum not exceeding ten pounds to repair the Bridge and improve the Road between the River and the Poquiock Settlement, and the balance to build the Bridges and improve the Road leading to Magundy.

Five pounds to improve the road through the Poquiock Settlement, from the cross road to the rear of Carson's Farm.

Twenty five pounds to improve the road from Carson's Corner to Wilson's Mills, to commence at the further end of the road and work towards the Poquiock Settlement.

Forty pounds for the road to the Magundy Settlement; a small sum of which to be appropriated in making an embankment near Wilson's Mills, and the remainder, except what may be absolutely necessary to keep the road in repair after exhausting the Statute Labour, to be expended on the new road leading to Magundy.

Ten pounds to improve the road leading from Donnelly's Base Line to Lake George.

Fifty pounds to alter and improve the road leading from the Magundy Settlement to the Magaguadavic Ridge, commencing at the rear corner of Lockhart's Field.

Fifteen pounds to improve the road leading from the School House, Magundy, to James Brown's.

Thirty five pounds to open a road and improve the same connecting the Smithfield Settlement with the Newmarket Settlement; three pounds of which to be expended towards Abram's.

Fifteen pounds for the road leading from Gilman's Mills to the Smithfield Settlement.

Twenty five pounds for the road from Lawrence Grant's to the Campbell Settlement.

Twenty five pounds for the road leading through the Upper Caverhill Settlement towards the Lower Settlement.

Twenty five pounds for the road leading to and through the Lower Caverhill Settlement towards the Upper Settlement.

Fifteen

Fifteen pounds for the road from Mitchell's to Adam Jackson's, thence to Fleming's. Bye Roads in
York,
Continued.

Sixty five pounds for the road from Adam Jackson's to the River Saint John.

Twenty five pounds for the road from William Grey's to the mouth of the Mactaquack.

Fifty pounds for the road from the mouth of the Mactaquack to Mauseroll's Ferry.

Fifty pounds for the road from Humphrey Sisson's to James Whitehead's.

Twenty five pounds for the road from the Tripp Settlement to the Keswick.

Fifteen pounds for the road from Darius Burt's to Gould Crouse's.

Ten pounds for the road from the School House beyond Moses Lawrence's to William Estey's.

Thirty pounds towards erecting a Bridge over the Keswick at Burt's or Estey's at the discretion of the Commissioner.

Five pounds for the road leading to the Hurlet Settlement.

Five pounds for the road leading from the Royal Road to Parker's farm.

Ten pounds for the road leading to Charles King's.

Thirty five pounds for the road from William John's through the Bird Settlement; seven pounds ten shillings of which to be laid out on the north line, and half of the remainder between the Bird Settlement and the Cardigan.

Seventy pounds for the road leading from the south branch of the Tay to Stone's; a sum not exceeding ten pounds to be expended in altering if necessary and improving the road leading towards Stanley by Mick's, and a like sum to improve the road through Cardigan.

Fifteen pounds for the road leading from Cardigan to Stanley, commencing beyond Evan George's Farm.

Seven pounds ten shillings for the road from the Tay Creek to Larkin's.

Five pounds to open a road from the Cardigan to Davidson's.

Twenty pounds to assist in altering and improving the Nashwaak Road at the Meeting House and around Clarke's Hill, in addition to the grant last year.

Sixty pounds to open and improve the road leading from the Great Road to Northumberland to the River Nashwaak.

Twenty five pounds for the road leading from the Alms House in Fredericton to the New Maryland Settlement.

Twenty pounds for the road leading from the continuation of Smyth Street towards the Glebe; half of which to be appropriated in improving the road across the rear of the lot to the New Maryland Road.

Sixty pounds for the road from Fredericton to the New Maryland Settlement.

Fifteen pounds to erect a Bridge on the New Maryland Road near Watts'.

One hundred pounds to improve the road from the Rushagonis Stream to the Saint Andrews Road; a sum not exceeding eight pounds of which to be expended in exploring that part of the road which is unexplored.

Twenty pounds for the road from the School House in New Maryland to the County line.

Fifteen pounds to repair the Bridge across the Mill Stream.

Ten pounds to open a road from Morgan's to Beaver Dam.

Ten pounds to improve the road on the south west side of the Rushagonis.

Ten pounds to improve the road from the Little Settlement to the Hanwell.

Fifteen pounds to improve the road leading from the Settlement in the rear of M'Leod's Hill to the Nashwaaksis, by the Royal Road.

Bye Roads in
York,
Continued.

Twenty pounds to open a road from the Bridge on the Nashwaak River towards Stanley.

Fifteen pounds to improve the road from Hughes' by the Taxes River.

Five pounds to improve the road from the Tay Creek to Campbell's.

Twenty pounds to improve the road and make embankments on the Nashwaak around Weade's Hill.

Five pounds to improve the road from Harris' to the Keswick.

One hundred pounds to the Justices of the Peace for the County of York, to assist them in paying the damages for the road laid out between John M'Gibbon's and the lower part of Douglas.

Twenty pounds to repair the old Bridge across Garden's Creek in Kingsclear, and improve the road upwards.

Fifty pounds in aid of individual subscription in completing a Wharf and Ferry Landing at the Phoenix Square in Fredericton.

One hundred and twelve pounds ten shillings to remunerate Jacob M'Kean, in part, for the erection of Bridges on the road leading from John M'Gibbon's to Shepherd's.

Money to be expended by Commissioners appointed by the Government with advice of Council.

Duty of Commissioners in expending the money.

II. And be it enacted, That the said several and respective sums of Money and every part thereof, shall be expended under the direction of such Supervisors and Commissioners as His Excellency the Lieutenant Governor or Commander in Chief, by and with the advice of the Executive Council, may be pleased to appoint, and shall be paid to the several and respective persons who shall actually work and labor in making, completing and repairing the said several Roads and Bridges, or in furnishing materials therefor at the most reasonable rates that such labor and materials can be provided; and every Commissioner so to be appointed shall, as early in the season as may be, carefully examine the part of the Road where any sum of money is to be expended, and shall lay out and mark off such allotment or allotments as may conveniently be contracted for, in order that the making or repairing of the same may be let by auction to the lowest bidder; and in all such cases such Commissioners respectively are hereby required to put a sufficient number of notices not less than ten days previous to such sale, in three or more of the most public places in the neighbourhood where the work is to be done, which notice shall specify and describe the work so to be performed, and also the place, day and hour when and where the same will be let at auction as aforesaid; and it shall further be the duty of such Commissioners respectively to attend personally at the time and place so appointed, and there to let out to the lowest bidder such allotment or allotments, and at the same time to enter into written contracts for the faithful performance of the work in time and manner set forth in such contracts; and in cases where the work required to be performed cannot be conveniently let at auction, it shall be the duty of said Commissioners to agree with fit and proper persons to perform the same by days labor, provided that in no case shall more than one quarter part of any grant be so expended; and the said Commissioners shall severally keep an exact account of the expenditure of such monies, and shall produce receipts in writing from the several and respective persons to whom any part of the said money shall be paid, as vouchers for such payment, and render an account thereof upon oath, (which oath any of the Justices of the Peace in the several Counties is hereby authorized to administer,) to be transmitted to the Secretary's Office on or before the first day of December next to be laid before the General Assembly at the next Session.

Money to be paid by the Treasurer by Warrant.

III. And be it enacted, That the before mentioned sums of money shall be paid by the Treasurer out of the monies in the Treasury, or as payments may be made

made at the same, by Warrant of His Excellency the Lieutenant Governor or Commander in Chief for the time being, by and with the advice and consent of Her Majesty's Executive Council, for which Warrants no fee or deduction shall be demanded or taken from the persons in whose favour they may issue.

IV. And be it enacted, That the said Commissioners intrusted with the expenditure of the said several and respective sums of money, shall for their time and trouble be allowed to retain at and after the rate of five per centum out of the said sums so intrusted to them respectively, together with a reasonable compensation for actual work and labour performed by them on the said several Roads and Bridges.

Compensation to Commissioners.

V. And be it enacted, That the said Commissioners shall expend the several and respective sums of money on the roads on or before the first day of October; Provided always, That nothing herein contained shall extend or be construed to extend to prevent any Commissioners from expending money after the first day of October, when it shall be necessary to expend the same for building Bridges, removing rocks, stumps, trees or other obstructions.

Money to be expended before the first of October.

VI. And be it enacted, That none of the before mentioned sums of money or any part thereof, shall be laid out or expended in the making or improving any alteration that may be made in any of the said roads, unless such alterations shall have been first duly laid out and recorded.

No money to be expended on alterations not recorded.

CAP. LXI.

An Act in amendment of the Law relating to Wills, Legacies, Executors and Administrators, and for the settlement and distribution of the Estates of Intestates.

Passed 31st March 1840.

I. **BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the Surrogates already appointed or hereafter to be appointed by the Lieutenant Governor or Commander in Chief, in the several and respective Counties in this Province, shall have power to take the Probate of Wills, and to grant Administration on the Estates of deceased persons in the manner heretofore accustomed, subject nevertheless to the rules and directions hereinafter prescribed, and shall continue in office and be in all respects authorized to act as such Surrogates, until some other person shall be appointed in his stead, without taking out any new Commission on the change of the person administering the Government of this Province.

Surrogates to take Probate of Wills, and grant Administration as heretofore, and continue in Office until others be appointed.

II. And be it enacted, That the Court of Chancery in this Province shall have appellate jurisdiction of all matters cognizable by the said Surrogates for the respective Counties, and shall also have the powers and jurisdiction hereinafter prescribed.

Court of Chancery to have appellate jurisdiction.

III. And be it enacted, That the Lieutenant Governor or Commander in Chief for the time being, shall and may appoint a Register of Probates in the several and respective Counties of this Province, who shall have the care, custody and keeping of all books and papers belonging to the Surrogate Court or the Probate Office in the County for which he shall be appointed.

Register of Probates to be appointed for the several Counties.

IV. And be it enacted, That every Surrogate or Register shall respectively be sworn to the faithful performance of the duties of his office, before he enters thereupon.

Surrogates and Registers to be sworn.

V. And be it enacted, That the said Court of Chancery shall and may from time to time make, establish, alter and amend rules and forms of practice and proceedings,

Court of Chancery to establish rules and forms of practice.

proceedings, as well for that Court in matters made cognizable before it by this Act, as for the said Surrogate Courts, in such manner as the Court of Chancery shall see fit, provided that such rules and forms be in no wise repugnant to this Act.

Surrogate not to proceed where he is interested, as next of kin, &c.

VI. And be it enacted, That no Surrogate shall admit to Probate any Will, or grant Letters Testamentary, or of Administration, in any case or upon any Estate where he shall be interested as next of kin to the deceased, or as Executor or Legatee under such Will.

Where the Surrogate is so interested a Surrogate *pro hac vice* to be appointed.

VII. And be it enacted, That where any Surrogate who would otherwise be authorized to act, shall be so interested, the Lieutenant Governor or Commander in Chief for the time being, shall and may on the application of any party entitled to such Probate or Administration, specially appoint some other person within the said County Surrogate *pro hac vice*, who shall be vested, as regards such Estate, with all the powers and authority incidental thereto.

Executor of the Will of an Executor not to be *ipso facto* Executor of the Will of the first testator.

VIII. And be it enacted, That from and after the passing of this Act, when any sole or surviving Executor of any last Will and Testament may die testate, leaving an Executor of his last Will and Testament, such last mentioned Executor shall not *ipso facto* be the Executor of the last Will and Testament of the first Testator; but in such case, Administration *cum testamento annexo* may be granted in the same manner as if such first Executor had died intestate, any law or usage to the contrary notwithstanding.

Persons aggrieved by the decree of a Surrogate may appeal to the Court of Chancery.

IX. And be it enacted, That any person aggrieved by any order, sentence, decree or denial of any Surrogate, may appeal therefrom to the said Court of Chancery; Provided that the appeal be filed in the Registry of such Surrogate Court within thirty days after the making of such order, sentence, decree or denial; and that the party appealing do, at the same time with the appeal, file in the Registry of such Surrogate Court, a Bond to the said Surrogate with two sufficient sureties, in the penal sum of thirty pounds, conditioned for the payment of such costs as shall be awarded against him by the said Court of Chancery, upon such appeal: and such appeal when so perfected, by the filing of such bond therewith, shall suspend all proceedings upon the decision appealed from, until the appeal be determined.

Appeal being perfected, Surrogate to transmit a copy of the appeal, documents and reasons of his decision.

X. And be it enacted, That upon such appeal being perfected, and upon the Fees allowed by Law for the services in this Section required being paid, such Surrogate shall immediately transmit to such Court of Chancery a copy of such appeal, and of all papers, documents and testimony produced before him in relation to the subject of such appeal, duly certified under the Seal of the Surrogate Court, with a statement of the decision made by him, and the reasons of such decision.

Court of Chancery may proceed against the Surrogate delaying to transmit the appeal, as for a contempt.

An appeal may be allowed on special cause shewn.

XI. And be it enacted, That the said Court of Chancery, on due proof of an appeal from the decision of a Surrogate having been perfected, and of the neglect or unreasonable delay of such Surrogate to transmit such appeal, with the copies as above directed, and the said fees having been paid or tendered, may proceed to enforce such return by attachment as for a contempt of such Court: and the said Court of Chancery may at any time within six months after the time herein before limited for filing and perfecting such an appeal in the Surrogate Court, upon special cause shewn, and on such terms as it may appear just to prescribe, allow an appeal, in which case the same proceedings shall be had as if the appeal had been originally entered in the Surrogate Court.

Discretionary power as to the payment of costs vested in the Court of Chancery.

XII. And be it enacted, That it shall be in the discretion of the said Court of Chancery, as well in cases of appeal as in any other proceeding relating to the Estates

Estates of deceased persons, before such Court, to award costs to be paid personally by the parties against whom such costs shall be awarded, or out of the Estate which may be the subject of the proceeding, as the said Court may direct; and payment of such costs may be enforced against appellants by a suit upon the Bond hereinbefore directed to be given for that purpose, and against other parties by process of Attachment: Provided that no attachment shall issue until proof be made by affidavit of a personal demand of such costs, and of a refusal or neglect to pay the same, and that no suit on such Bond shall in any case be commenced without the order of the said Court of Chancery.

XIII. And be it enacted, That if upon the hearing of any matter relating to the Estate of a deceased person by the Court of Chancery, whether upon appeal or upon application to sell real estate for the payment of debts as hereinafter directed, or otherwise, any question of fact shall arise, which, in the opinion of the said Court, cannot be satisfactorily determined without a trial by Jury, such Court shall have authority to order a feigned issue to be made up in the Supreme Court, and to prescribe the manner of making up such issue, so as to present the question in dispute, and to direct the County in which the same shall be tried; and the Supreme Court shall have power to grant new trials of such issues, as in personal actions pending in that Court, and the final determination of such issue shall be conclusive as to the facts therein controverted in the proceedings before the Court of Chancery; and it shall be in the discretion of the said Court of Chancery to order and direct by whom and in what manner the costs and expenses attending any such issue shall be paid.

Questions of fact may be referred to the Supreme Court for trial by Jury.

Costs.

XIV. And be it enacted, That if in any such matter pending before the said Court of Chancery, any question of law shall arise upon which such Court should wish to have the opinion of the Supreme Court, such Court shall have authority to order a case to be stated for the opinion of the Supreme Court, and to prescribe the manner of stating such case; and the Judges of the Supreme Court, after the case has been argued and considered by them, shall certify their opinion thereupon to the said Court of Chancery; and the said Court of Chancery shall have the like discretion as to the costs and expenses attending such cases, as before provided with regard to feigned issues.

Questions of Law may be stated for the opinion of the Supreme Court.

Costs.

XV. And be it enacted, That the said Surrogate Courts shall have power to issue Subpœnas to compel the attendance of any witnesses, or the production of any paper material to any enquiry pending in any such Courts, (which Subpœna shall be according to the Schedule to this Act annexed, or in words to the like effect), and shall also have power to punish disobedience to any such Subpœna, and to punish witnesses for refusing to testify after appearing, in the same manner and to the same extent as Courts of Record in similar cases.

Surrogate Courts may issue Subpœnas for witnesses and production of papers.

XVI. And be it enacted, That Citations issued out of the Surrogate Courts for the respective Counties, shall be served in the following manner (except in cases otherwise specially provided for by law) that is to say: by posting up the same in three such public places in the County as the Surrogate may direct, at least three weeks before the return of the Citation, and by publishing the same once in each week for three successive weeks in a newspaper published in the County, if there be any such newspaper, or if in any case the Surrogate shall think special personal service to be requisite, and shall so direct, and the person to be cited can be found within the County or has a known place of abode therein, the Citation shall be served by delivering a copy thereof to each person to be cited, or by leaving such copy at his place of abode with an adult person residing in the house, who shall at the same time be informed of its contents and meaning, and the

Service of citations in Surrogate Courts.

service

service of Citations shall in all cases be made to appear by affidavit duly made and filed before the Surrogate.

Process to be executed by Sheriffs as if issued by a Court of Record.

XVII. And be it enacted, That every Sheriff, Constable or other Ministerial Officer to whom any Citation, Subpœna, Attachment or other Process duly issued by any such Surrogate Court, may be directed or delivered for the purpose of being executed, shall execute the same in the same manner as if issued by a Court of Record, and for any neglect or misfeasance therein, shall be subject to the same penalties, actions and proceedings as if the same had occurred in relation to process issued by Courts of Record.

Testimony to be taken in writing.

XVIII. And be it enacted, That the testimony taken by any Surrogate in relation to the proof of any Will, in any controversy before him relating to any matter of which he has cognizance, shall be reduced to writing, and shall be entered into a book to be kept for that purpose.

Surrogate not to be Counsel in any matter pending before him. Surrogate may award and tax costs.

XIX. And be it enacted, That no Surrogate shall be Counsel, Attorney or Proctor for any party, in any matter pending or to be brought before him.

Taxation and order may be reviewed.

XX. And be it enacted, That any Surrogate shall have power to award and tax costs against any party, against whom a decision may be made in any matter contested before such Surrogate, to be paid personally or out of the Estate of the deceased, as he in his discretion may order, which taxation and order shall have the like effect as a Judgment in a Court of Record, upon which Execution may be awarded by such Surrogate, agreeably to the form in the Schedule hereto annexed or in words to the like effect: Provided always, That any such taxation and order may be reviewed by the Court of Chancery, upon notice given to the party in whose favour such taxation and order may be made, without any appeal being entered and perfected.

Surrogate of the County to have the sole right of taking Probate, &c. of deceased inhabitants.

XXI. And be it enacted, That the Surrogate of each County shall have sole and exclusive power to take the Probate of Wills, and to grant Administration on the Estates of deceased persons, who at or immediately previous to their death, shall be inhabitants of such County, in whatever place the death of such persons may have happened.

Jurisdiction when the deceased may not have been an inhabitant.

XXII. And be it enacted, That in cases when the deceased person was not, at or immediately previous to his death, an inhabitant of any County of this Province, the Surrogate of any County in which such deceased person may have left assets, shall have power to take the Probate of Wills and grant Administration of the Estate; and the Surrogate who shall so take the Probate of the Will or first grant Administration of the Estate, shall be deemed thereby to have acquired jurisdiction, in exclusion of the jurisdiction of any other Surrogate over such Estate, and shall be vested with all the powers incidental thereto.

Letters Testamentary or of Administration to be applied for by Petition.

XXIII. And be it enacted, That every person wishing to obtain Letters Testamentary or of Administration, shall apply to the Surrogate by Petition in writing setting forth according to the best of the knowledge and belief of the applicant, the time and place of the death of the deceased person, and such other particulars as may be necessary to support the application, together with the amount of the Estate both real and personal of the deceased person; which Petition shall be verified before the Surrogate by the oath of the applicant, and the Surrogate may if he see fit examine any other person upon oath, as to the facts necessary to be enquired into on granting Letters Testamentary or of Administration; and if there shall be any person having prior right by Law to Administration, either with the Will annexed or in case of intestacy, the applicant shall produce, prove and file in the Surrogate Court a written renunciation of the persons having such prior right to Administration, and if such applicant shall fail so to do, then and in such case, before

before any Letters of Administration be granted, a Citation shall be issued to all persons having such prior right to shew cause, at a day to be therein specified, why Administration should not be granted to such applicant.

XXIV. And be it enacted, That from and after the passing of this Act, the Bond taken from Administrators on the granting of Administration, shall be given to the Surrogate Judge of Probates who grants such Administration, any usage to the contrary notwithstanding, and two or more competent sureties to be approved of by the Surrogate, shall join in such Bond with the Administrator; and such Bond shall be according to the form and with the condition prescribed in the Schedule to this Act annexed, or in words to the like effect, and shall be filed in the Registry of the Surrogate Court which grants the Administration, before the Letters of Administration are issued.

Bond from Administrators to be given to the Surrogate.

Sureties.

Form.

XXV. And be it enacted, That if objection should be made by any Creditor of a Testator, or any Legatee, relative, or other person interested in his Estate, against granting Letters Testamentary to one or more of the persons named in the Will as Executors, the Surrogate shall enquire into such objection, and if it appear that the circumstances of any person named as such Executor are such that in the opinion of the Surrogate they would not afford adequate security to the Creditors, Legatees or relatives of the Testator, for the due Administration of his Estate, he may refuse Letters Testamentary to any such person, until he shall give the like Bond as is required of Administrators in cases of Intestacy.

Bonds may be required from Executors in certain cases.

XXVI. And be it enacted, That the Surrogate on granting Letters of Administration, and also when he may consider it proper and necessary on granting Letters Testamentary, and as often afterwards as he may thing necessary, shall by a Warrant of Appraisement, appoint two or more disinterested persons to estimate and appraise all the real and personal Estate of the Testator or Intestate; and such Appraisers shall be entitled to receive a reasonable compensation for their services, to be allowed by the Surrogate, not exceeding ten shillings per day for each appraiser for the time they may be actually employed.

Appraisers to be appointed.

Compensation.

XXVII. And be it enacted, That when appraisers are so appointed, the inventory shall be made by the Executor or Administrator, with the aid of such appraisers, and when property shall be in different and distant places, two or more inventories may be made, and shall with the Warrant of Appraisement be returned and filed with the Register of Probates, within three months from the time of granting the same, unless a further time be given by the Surrogate.

Inventory to be made by the Executor, &c. with the aid of the Appraisers.

XXVIII. And be it enacted, That before proceeding to the execution of their duty, the Appraisers shall take an oath, to be administered either by the Surrogate or any person authorized to take Affidavits to be read in the Supreme Court, that they will truly and impartially appraise the Real and Personal Estate which may be exhibited to them, according to the best of their knowledge and ability: the taking of which oath shall be certified on the Warrant of Appraisement by the person who administered the same.

Appraisers to be sworn.

XXIX. And be it enacted, That the Inventory shall contain a true and perfect description and estimate, of all the Real Estate, Goods, Chattels and Credits of the deceased person, as well in possession as in action, and shall also specify the names of all the debtors of the deceased known to the Executors or Administrators, together with the nature of the debt, and the security therefor, whether by Judgment, Bond, Mortgage, Promissory Note, Book Debt or otherwise; and the date of each security, the sum originally payable, and the payments, if any, which have been made thereon; and shall distinguish those debts which in the opinion of the Appraisers are doubtful or desperate; and shall also contain an account of all

Contents of the Inventory.

all monies, whether in specie or Bank Bills, belonging to the deceased, which shall have come to the hands or knowledge of the Executor or Administrator; and if no such monies shall have come to his hands or knowledge, the facts shall be so stated in the Inventory, and the Inventory shall be verified by the oath of the Executor or Administrator before the Surrogate.

Claims against
Executors or Ad-
ministrators not to
be discharged by
their being named
such.

XXX. And be it enacted, That the bare naming of any person Executor in a Will or the granting of Administration to any debtor of any Intestate, shall not operate as a discharge of any just claim which the Testator or Intestate had against such person; but such claim shall be included among the credits and effects of such deceased person in the Inventory; and such Executor or Administrator shall be liable for the same, as for so much money in his hands at the time such debt or demand shall be due and payable, and shall apply and distribute the same as part of the personal Estate of the deceased.

Inventory not
being filed within
the time limited,
a citation may be
issued.

XXXI. And be it enacted, That in case of an Executor or Administrator failing to return the Inventory within the time limited for that purpose, he may be required so to do by a Citation from the Surrogate: such Citation to be issued on the application of some person having an interest in the Estate of the deceased as Creditor, Legatee or next in Kin, or of some person in behalf of a Minor having such interest, or of any surety upon an Administration Bond.

Further Inven-
tories and ap-
praisements to be
made of property
not included in the
first Inventory.

XXXII. And be it enacted, That whenever property of any kind not mentioned in any Inventory that shall have been made, shall come to the possession or knowledge of an Executor or Administrator he shall cause the same to be appraised in manner aforesaid, and an Inventory thereof to be returned within three months after the discovery thereof; and the making of such Inventory and return, may be required in the same manner as in the case of the first Inventory.

Debts to be paid
according to their
legal priority.

XXXIII. And be it enacted, That every Executor or Administrator shall proceed with diligence to pay the debts of the deceased according to their legal priority in the order of classes; and all debts of the same class shall be paid in equal proportion, and no preference shall be given in the payment of any debt over debts of the same class, nor shall a debt due and payable be entitled to a preference over debts not due; nor shall the commencement of a suit for the recovery of any debt, or the obtaining of a Judgment therein, entitle such debt to any preference over others of the same class; nor shall any debt of an Executor or Administrator, be entitled to any preference over others of the same class; Provided always, that all allowances made by the Surrogate to any Executor or Administrator for expenses and services shall have priority in payment to any debts of what class soever.

Pleadings by an
Executor or
Administrator in
suits.

XXXIV. And be it enacted, That in any suit against an Executor or Administrator, the Defendant, if he plead that he has fully administered, may shew under a notice for that purpose to be given with such plea, (which notice may be proved to have been delivered on the trial, either *ore tenus* or by affidavit of the person delivering the same,) that there are debts of a prior class unsatisfied, or that there are debts unpaid of the same class with that on which the suit is brought, and the Defendant shall on such issue be chargeable only for such part of the assets in his hands, as shall remain after satisfying the debts of the prior class, and as shall be a just proportion to the other debts of the same class with that on which the suit is brought; Provided always, that the Defendant shall not be allowed to give evidence under such notice of any such debt not particularly specified in the notice, and that the Plaintiff may shew in reply to the evidence of such debt, any matter of which he could have availed himself in pleading; and the Plaintiff may as in other cases, take judgment for the whole or part of his debt

debt to be levied of future assets; and in any proceedings upon such judgment for future assets the Defendant shall be chargeable only with the just proportion of such future assets, payable to the Plaintiff upon the principle hereinbefore prescribed for the payment of debts of deceased persons.

XXXV. And be it enacted, That an Executor or Administrator shall render an account of his administration to the Surrogate, within eighteen months from the date of the Letters Testamentary or of Administration, and may after the expiration of that time be required so to do by a citation to be issued on the application of any such person as is hereinbefore described as entitled to require the return of an Inventory; but the Surrogate may, for reasonable cause, allow further time for rendering such account.

Accounts to be rendered within eighteen months from date of Letters.

XXXVI. And be it enacted, That on making such account every Executor or Administrator shall produce vouchers for all debts and legacies paid, and for all funeral charges and just and necessary expenses; and that such Executor or Administrator may be examined upon oath by the Surrogate, touching any property or effects of the deceased, which have come to his hands or knowledge, and the disposition thereof; and that such Executor or Administrator may be allowed any item of expenditure not exceeding five pounds, for which no voucher is produced, if such expenditure is supported by his own oath positively to the fact of payment, specifying when and to whom paid, and if such oath be uncontradicted.

Vouchers for payments to be produced.

Executor or Administrator may be examined on oath.

XXXVII. And be it enacted, That the Surrogate in passing any account of any Executor or Administrator, may make allowance to any Executor or Administrator for property of the deceased which hath perished or been lost in part or in the whole, without the fault of such Executor or Administrator, provided that such allowance shall not be conclusive on the rights of any party contesting the question.

Allowance may be made for property lost without fault.

XXXVIII. And be it enacted, That no Executor or Administrator shall make any profit by the increase or income of any part of the Estate, but shall charge himself with such increase in his account.

Increase of estate to be accounted for.

XXXIX. And be it enacted, That the Surrogate may allow to Executors and Administrators, over and above all such actual and necessary expenses as may appear just and reasonable, a reasonable commission, not exceeding five per cent. on the amount received by them.

A Commission over and above expenses may be allowed.

XL. And be it enacted, That when any provision shall be made by any Will for specific compensation to an Executor, the same shall be deemed a full satisfaction for his services, in lieu of the aforesaid allowance, or his share thereof, unless such Executor shall, by writing to be filed with the Surrogate, renounce all claim to such specific legacy.

Compensation allowed in a Will to be deemed full satisfaction.

Exception.

XLI. And be it enacted, That whenever any Executor or Administrator shall have rendered and filed his account, whether upon or without being cited so to do, a Citation shall issue requiring the Creditors and next of kin of the deceased, and all persons interested in the Estate, to appear before the Surrogate on a day to be therein specified, not less than thirty days from the time of issuing such Citation, to attend the passing and allowance of such account, and such Citation shall be published once in each week for four weeks successively, in a newspaper printed in the County, (if any such there be,) and copies of such Citation shall be posted up in such three of the most public places in the County as the Surrogate shall direct, thirty days before the day named in the Citation for the passing and allowance of the account; and such Citation shall be also published in such other newspaper printed in any other County where Creditors or other persons interested in the Estate may reside, as the Surrogate may direct.

Accounts being rendered creditors, next of kin &c. to be cited to attend the passing thereof.

Accounts may be
contested.

XLII. And be it enacted, That any Creditor, Legatee or other person interested in the Estate of the deceased, may attend the passing of such account, and contest the same; and any such person, as well as the Executor or Administrator, may have Subpœnas from the Surrogate Court to compel the attendance of witnesses; and the hearing of the allegations and proof of the respective parties may be adjourned from time to time as may be necessary.

25 G. 3, c. 11, s.
10, 18 and 19 re-
pealed, but pro-
ceeding had there-
under to remain
valid.

XLIII. And be it enacted, That the tenth, eighteenth and nineteenth Sections of an Act made and passed in the twenty sixth year of the Reign of King George the Third, intituled "An Act relating to Wills, Legacies, Executors and Administrators, and for the settlement and distribution of the Estates of Intestates," be and the same are hereby repealed, save and except that all proceedings heretofore had, under and by virtue of the said tenth, eighteenth and nineteenth Sections, and all Licences granted to any Executor or Administrator for the sale of Lands, made before the passing of this Act, and all proceedings to be had thereunder shall be and remain valid and effectual to all intents and purposes, in the same manner and to the same extent as if this Act had not been made and passed.

Court of Chancery
may grant Licence
to sell real estate
for payment of
debts when the
personal estate is
insufficient.

XLIV. And be it enacted, That in case the personal Estate of any deceased person shall not be sufficient to pay his debts, and it be found necessary to apply the Real Estate of such person in payment of such debts, the said Court of Chancery shall have cognizance of the matter, and shall be authorized and empowered to grant a Licence to the Executors or Administrators for the application of the Real Estate for that purpose, as hereinafter mentioned.

Application by
Executor or Ad-
ministrator for Li-
cence to sell real
estate to be by Pe-
tition.
Recital.

XLV. And be it enacted, That in order to obtain such Licence, the Executor or Administrator shall at any time within three years after the granting of the Letters Testamentary or of Administration, apply to such Court of Chancery by Petition, setting forth in such Petition the amount of personal property which has come to the hands of such Executor or Administrator, the debts so far as they can then be ascertained against the Estate of the deceased person, a description of the real estate of the deceased, with the value of the respective lots or parts thereof, and whether occupied or not, and if occupied, the names of such occupants, so far as may have come to his knowledge, and the names and ages of the heirs and devisees (if any) of the deceased, which Petition shall be verified by the oath of the Petitioner, taken and certified thereon by the Surrogate, and there shall also be annexed to such Petition a certified copy of the inventory and appraisement on file, and in case he died testate, a copy of the Will.

Court to have cog-
nizance of the mat-
ter of the Petition.

XLVI. And be it enacted, That the said Court of Chancery shall thereupon have cognizance of the matter of such Petition, and after giving notice to the parties interested, either personally or by advertisement in any newspaper in the Province, as such Court may order and direct, shall proceed to hear and examine the allegations and proofs of the Petitioner, or any person interested in such real estate, who may think proper to oppose such application, and also the validity or legality of any debt or demand which may be represented as existing against the Testator or Intestate.

Court may grant
Licence to sell the
real estate in
whole or part.

XLVII. And be it enacted, That when in any case after due examination, the said Court of Chancery shall be satisfied that the personal estate of the Testator or Intestate is insufficient for the payment of debts, it shall be lawful for such Court to grant a Licence in general terms for the sale of such real estate, or such part thereof as may be sufficient to pay the said debts, or to specify in such Licence the particular parts or portions of the real estate so to be sold; and in cases where Licence is given to sell only a specified part of the real estate, such Court may from time to time proceed to grant further Licence to sell a further part, or all such real estate, if necessary, for the payment of such debts.

XLVIII.

XLVIII. And be it enacted, That the said Court of Chancery, upon the application of any Creditor, made after the expiration of one year, and before the expiration of three years from the time of granting Letters Testamentary or of Administration, and shewing probable cause for believing that there will not be sufficient personal assets to pay the debts of the Testator or Intestate, may proceed to examine into the matter, as in the case of such application on the part of an Executor or Administrator, due notice thereof being given to parties interested, as prescribed in the forty sixth Section of this Act; and if after due examination, such Court shall be satisfied that the personal estate of such Testator or Intestate is insufficient for payment of the debts, it shall be lawful for such Court to grant Licence to sell all or part of the real estate, in the same manner as if the application had been made therefor by such Executor or Administrator.

Court may proceed upon the application of a creditor, and grant Licence in same manner as on application of an Executor or Administrator.

XLIX. And be it enacted, That if it shall appear to the said Court of Chancery that it will be for the advantage of the heirs or devisees of any Testator or Intestate, and will not be injurious to Creditors, to lease the real estate or any part thereof for any term not exceeding twenty one years, in lieu of selling the same for the purpose of raising money to pay debts, the said Court may so direct in such Licence, and any Lease executed by such Executor or Administrator in pursuance thereof, shall have the like force and effect as if executed by the Testator or Intestate immediately before his death.

Court may authorize the leasing of real estate in lieu of selling.

L. 'And whereas in cases of small Estates, the expense of proceeding in Chancery for Licence to sell or lease real estate may be disproportioned to the value of the property;' Be it therefore enacted, That when the real estate required to be sold for the payment of debts of any Testator or Intestate shall not exceed the sum of one thousand pounds, the Surrogate Court shall have the like power and cognizance with the said Court of Chancery, to receive applications, to examine the matter, and to grant Licences to sell or lease such real estate of the Testator or Intestate: Provided, that if any person interested, should contest the granting of such Licence, and should appeal from any decision of such Surrogate in regard thereto, that then such Licence shall be held null and void, and no further proceedings shall be had thereunder; and upon such appeal the said Court of Chancery shall proceed as if upon an original application to sell or lease.

Surrogate Court to grant Licences to sell or lease real estate not exceeding £1000 in value

Proviso for contested cases.

LI. And be it enacted, That every Licence to sell or to lease real estate as aforesaid, shall be made in such form as the said Court of Chancery or Surrogate may prescribe, and shall be registered by the Register of the said Courts respectively, in a book to be kept for that purpose; and a copy of such Record, certified under the hand of any such Register, shall be evidence of such Licence in all Courts without further proof.

Licence to be in a prescribed form and be registered.

LII. And be it enacted, That upon a Licence to sell or lease any real estate as aforesaid being granted, the Executor or Administrator shall be deemed entitled to all the rents and profits of the real estate of the Testator or Intestate, accruing from the time of his death, and shall and may have and maintain all actions and other lawful means for recovering the same; and all the proceeds of such real estate shall be legal assets in the hands of such Executor or Administrator for the payment of such debts: Provided always, That any rent becoming due after the death of the Testator or Intestate, and paid in good faith by any tenant to any heir or devisee, before notice of such Licence, shall not be recoverable from such tenant by an Executor or Administrator.

Rents, profits and proceeds of real estate to be assets for payment of debts.

Rents paid to any Heir or Devisee before notice of Licence not to be recoverable from the Tenant.

LIII. And be it enacted, That before any sale or lease be made of any real Estate by virtue of such Licence, the Executor or Administrator shall give thirty days public notice of such sale or letting, by posting up notifications in three at least

Public notice of any sale or lease under Licence to be given, and the selling or letting to be by Public Auction.

least of the most public places in the County where the land lies, and by publishing such notification once in each week for four successive weeks in a newspaper printed in such County (if any such there be); in which notification the several parcels of the lands and tenements to be sold or leased shall be particularly and appropriately designated, and whoever will give the most shall have the preference in such sale or letting, and such sale or letting shall be by public auction.

Bonds to be given by the Executor or Administrator before selling or letting under Licence.

LIV. And be it enacted, That before any Executor or Administrator do proceed to sell or lease any such Real Estate they shall first give Bond to the Surrogate Judge of the County where the Letters Testamentary or of Administration were granted, with two sufficient sureties to be approved of by such Surrogate, in such penalty, not exceeding double the amount to be raised by such sale or letting, as the said Surrogate may think fit to direct: which Bond shall be agreeable to the form and with the condition prescribed in the Schedule to this Act annexed, or in words to the like effect, and shall be filed with the Register of the said Surrogate Court before the completion of such sale or letting.

Deed or Lease to be executed by the Executor or Administrator.

LV. And be it enacted, That on the sale or letting of any such Real Estate under such Licence, the Executor or Administrator shall and may execute a Deed or Lease of the premises so sold or leased, in which the substance of such Licence shall be recited; which Deed or Lease shall have the like force and effect (except as to rent or profits up to the date thereof) as if made and executed by such Testator or Intestate immediately before his death.

Conveyances under this Act duly proved may be registered;

LVI. And be it enacted, That every conveyance made by any Executor or Administrator under the provisions of this Act, having been first duly acknowledged or proved, according to the laws relating to the Registry of Deeds, and affidavit having been made by such Executor or Administrator, before any Officer or Court duly authorized to take acknowledgements or proof of the execution of Conveyances, and indorsed on the said Conveyance, that the said premises mentioned in such Conveyance have been duly advertised and sold according to law, may be registered in the Registry Office where the Lands lie; and such Conveyance so registered, or a copy thereof, may be given in evidence in any Court of Law or Equity in this Province, in like manner with, and under the same Rules and Restrictions as any other registered Deed, and when so given in evidence, together with the proof as herein before mentioned of such Licence, shall be deemed and taken to be evidence that all the proceedings on which such Conveyance is founded were rightly had and done.

and the same, or a copy thereof, be given in evidence.

No Bond given under this Act to be put in suit without an order of the Court of Chancery.
Proof of order.

LVII. And be it enacted, That no Bond given agreeably to the provisions of this Act, shall be put in suit without an Order of the Court of Chancery for that purpose to be made, on the application of some person interested in such Estate, either as Creditor, Legatee, Heir, or next of Kin; which order may be proved by a Copy thereof, certified under the hand of the Register of such Court, and shall have the effect of an assignment of such Bond *pro hac vice* to the party so interested and suing, and entitle him to proceed thereon in his own name as assignee thereof, in any Court of competent Jurisdiction in this Province, and the party so suing shall be entitled to recover, and also be liable to pay costs to be taxed in such suit as in ordinary cases: and such Court may make such order for the delivery of any such Bond for the purpose of being read in evidence in any Court, and being again returned to the Office where it is filed, as the ends of justice may require; and whenever any such Bond shall be so put in suit, recovery may be had thereon to the full extent of any injury sustained by the estate of the deceased person by the acts or omissions of such Executor or Administrator within the purview of the Bond, and to the full value of all the property of the deceased person

Bonds may be delivered to be read in evidence.

Recovery to be had thereon.

person within the purview of the Bond, received and not duly administered by such Executor or Administrator; and the amount recovered on such Bond (after deducting the necessary expenses attending recovery, to be allowed by the said Court of Chancery) shall be deemed assets, and shall be applied and distributed under the order and direction of the said Court of Chancery for that purpose to be made; and the said Court of Chancery may from time to time order such Bond to be put in suit as occasion may require: Provided always, That the whole amount to be recovered in any such suit or suits, shall never exceed the penalty of the Bond.

LVIII. And be it enacted, That the fees to be hereafter received for services and proceedings in the Surrogate Courts, shall be according to the Table in the Schedule to this Act annexed.

Fees in Surrogate Courts to be according to the Table in Schedule.

LIX. And be it enacted, That the forms of Bonds, Warrants of Appraisement, Citations, Subpœnas, Executions and Attachments, shall be according to the forms in the Schedule to this Act annexed, or in words to the like effect.

Form of Bonds, Warrants, &c. as in Schedule.

SCHEDULE.

No. 1.—*Administration Bond.*

Know all Men by these Presents, That We are held
and firmly bound unto the Surrogate Judge of Probates in and for the County of Administration
in the sum of Bond. Pounds of lawful money of the said
Province, to be paid to the said Surrogate Judge of Probates for the time being;
for which payment to be well and truly made, We bind ourselves, and each of us
by himself for and in the whole, our and each of our Heirs, Executors and Ad-
ministrators, firmly by these Presents. Sealed with our Seals, dated this
day of , in the year of our Lord one thousand eight hundred and .

The Condition of this obligation is such, that if the above bounden
Administrator of all and singular the Goods, Chattels and Credits of
deceased, do make or cause to be made a true and perfect Inventory of all and
singular the Real Estate, Goods, Chattels, and Credits of the said deceased which
have or shall come to the hands, possession or knowledge of the said ,
or into the hands or possession of any other person or persons for , and the
same so made do exhibit or cause to be exhibited into the Registry of the Surro-
gate Court for the said County of on or before the day of
next ensuing; and the same Goods, Chattels and Credits, and all other the Goods,
Chattels, and Credits of the said deceased at the time of his death, which at any
time after shall come to the hands or possession of the said or into the
hands or possession of any other person or persons for , do well and
truly administer according to Law; and further do make or cause to be made a
true and just account of the said Administration, at or before the day of
, and all the rest and residue of the said Goods, Chattels, and Credits
which shall be found remaining upon the said Administrator's account, the
same being first examined and allowed of by the said Surrogate Court or other
Court of competent authority in that behalf, do deliver and pay unto such person
or persons respectively as the said Surrogate Court, or other Court of compe-
tent authority in that behalf, by decree or sentence, pursuant to the true intent
and meaning of the Act or Acts of the General Assembly of the said Province
for the settlement and distribution of the Estate of Intestates, shall limit and
appoint. * And if it shall hereafter appear that any last Will and Testament

was made by the said deceased, and the Executor or Executors therein named, do exhibit the same into the said Surrogate Court, making request to have it allowed and approved accordingly, if the said above bounden being thereto required, do render and deliver the Letters of Administration (Probate of such Testament being first had and made,) unto the said Surrogate Court.* Then this obligation to be void and of no effect, or else to remain in full force and virtue.

Sealed and delivered }
in presence of }

[*The Bond when given by any Executor to lein like form, substituting, Executor, &c. for Administrator, &c., and omitting the words between the asterisks.*]

No. 2.—*Bond on Appeal.*

Bond on Appeal.

[The Bond to be taken for £30 payable to the Surrogate in the same manner as Administration Bonds, and conditioned as follows:]

Whereas the above bounden hath appealed from the decision of the said Surrogate Judge of Probates, made in a certain matter pending before him :

Now the condition of this obligation is such, that if the said shall well and truly pay such costs arising from such appeal, and to such person as the Court of Chancery may order and direct, then this obligation to be void, otherwise to remain in full force.

Sealed and delivered }
in presence of }

No. 3.—*Bond on Sale of Real Estate.*

Bond on sale of
Real Estate.

Know all Men by these Presents, That We
(*as in Administration Bond.*)

Whereas Licence has been granted by the Court of Chancery (*or Surrogate Court in and for the County of as the case may be*) to the above bounden Executor of the last Will and Testament (*or Administrator of all and singular the Goods, Chattels and Credits, as the case may be,*) of deceased, to sell *or lease, (as the case may be,*) Real Estate of the said deceased, for payment of debts.

Now the condition of this obligation is such, That if the said Executor (*or Administrator*) as aforesaid, do and shall, well and faithfully apply all monies arising from the sale (*or lease*) of any of the Real Estate of the said deceased, or otherwise from the rents and profits thereof, in payment of the debts of the said deceased, agreeably to Law, and shall well and truly account for the same in Administration account before the Surrogate Court for the County of or other Court of competent authority in that behalf, and shall pay any surplus of such monies which shall be found remaining in his hands upon such accounting, unto such person or persons as the said Surrogate Court for the said County of or other Court of competent authority in that behalf shall by decree or sentence, pursuant to the true intent and meaning of the Act or Acts of the General Assembly of the said Province, in such case made and provided, limit and appoint, then this obligation to be void and of no effect, otherwise to remain in full force and virtue.

Sealed and delivered }
in presence of }

No.

No. 4.—*Warrant of Appraisement.*

New Brunswick, County of

ss.

Warrant of Appraisement.

To A. B. &c. Greeting: You are hereby appointed and empowered to take an Inventory of all the Real Estate, goods, chattels and credits, of which late of in the County aforesaid, Yeoman, died, seised or possessed within the Province, and according to your best skill and judgment truly appraise the same, which, when completed, you are to deliver to the Executor (*or Administrator*) of the said deceased, to be returned, together with this Warrant, in three months from the date hereof. Given under my hand this 184 . day of

B. P., *Surrogate, &c.*

ss. The above named Appraisers personally appeared before me, and made oath that they would faithfully and impartially perform the services to which they are appointed by the above Warrant.

A. L. *Commissioner, &c.*No. 5.—*Citation.*

New Brunswick.

ss. To the Sheriff of the County of

Citation.

or any Constable within the said County, Greeting: Whereas A. B., Executor (*or Administrator, or other person interested, as the case may be,*) hath prayed that may appear and (*here state in short form the object,*) You are therefore required to cite the said (and all others interested, as the case may be,) to appear before me at a Court of Probate to be held at within and for said County, on the day of next, to (*here state in short form the object.*) Given under my hand and the Seal of the said Court, this 184 . day of

A. Z., *Surrogate. &c.*

A. F.,
Register of Probates for said County.

No. 6.—*Subpœna.*

ss. To

Greeting: You are hereby required to

Subpœna.

appear before me, at a Court of Probate to be held at within and for said County, on the day of to testify and give evidence what you may know touching (*here state shortly the object,*) hereof fail not. Given under my hand this 184 . day of

B. P., *Surrogate, &c.*
*County of*No. 7.—*Execution.*

Surrogate Court.

Execution.

County of

ss. To the Sheriff of the said County of

Greeting:

You are hereby required (or in case it be an alias Execution, *as before,*) to levy of the goods and chattels of within your Bailiwick, the sum of for costs awarded in favour of in a certain proceeding lately had before me as Surrogate Judge of Probate in and for said County, and have that money before me at my Office in within thirty days from the date hereof, to be rendered to the said and for want of such goods and chattels

chattels whereon to levy, you will take the body of the said and deliver him to the keeper of the Gaol of said County, and the said keeper will take the said in custody, and him safely keep, until the said sum, and your costs of levying this Execution be paid. And make return hereof within thirty days from the date hereof. Given under my hand this day of 184 .

A. L. Surrogate.

O. P., Register.

No. 8.—*Attachment.*

Attachment.

Surrogate Court.

County of ss. To the Sheriff of Greeting;
You are hereby required to attach by his body, if found within your Bailiwick, and him safely keep, so that you may have his body before me at my Office in on the day of next coming, to answer concerning a contempt, by him lately committed, in neglecting to appear before me, pursuant to a Subpœna issued in that behalf, (*or in case it be for refusing to testify after appearing, for refusing to testify before me,*) in a certain matter lately pending before me as Surrogate Judge of Probate for said County, and have there then this Writ. Given under my hand this day of 184 .

A. F., Surrogate.

O. P., Register.

Table of Fees to be taken and allowed in the Surrogate Courts.

FOR THE SURROGATE.

Fee Table.

Surrogate.

Examining Petition for Letters of Administration or Probate of a Will, and granting Order for the same,	£0	6	8
Every Fiat for Appraisers or Bondsmen,	0	2	6
Every Order not herein specially provided for,	0	2	6
Certificate endorsed on Will, of the proof thereof,	0	6	8
Certificate endorsed on Will, of Oath to Executors,	0	3	4
For the Probate of a Will or Letters of Administration, where the Estate does not exceed £300,	0	16	8
Where above £300 and not exceeding £1000,	1	3	4
Above £1000,	2	6	8
Signing Warrant of Appraisement,	0	2	6
Citation, including order for the same,	0	3	4
Every Subpœna, Attachment, Execution or other process, not otherwise provided for, including Order for the same,	0	2	0
Letters <i>ad colligendum</i> ,	0	10	0
Sentence or decree in ordinary cases of granting Licence to sell Real Estate, passing Accounts, or of distribution, &c.	1	3	4
Sentence or decree for Probate of a Will, Letters of Administration, or on granting Licence to sell Real Estate, passing Accounts, or distribution, &c. where there is a contest,	2	6	8
Transmitting Appeal, with statement of reasons,	1	3	4
Taking Testimony in Writing, each Witness, if Testimony does not exceed three folios,	0	3	4
Every folio above,	0	1	0
Examining and taxing Costs,	0	2	6
Every Oath,	0	1	0

REGISTER'S

REGISTER'S FEES.

Filing Petition for Probate of Will or Letters of Administration, and Order of Surrogate thereon,	£0	1	0	Register.
Entry of Order for Probate or Letters of Administration and every other Special Order not herein otherwise provided for,	0	2	6	
For the Probate of a Will or Letters of Administration, where the Estate is under £300,	0	15	0	
When above £300 and not exceeding £1000,	1	0	0	
All above £1000,	1	6	8	
Copy of Will annexed to Probate, per folio,	0	1	0	
Registry of Will in Book, per folio,	0	0	9	
Preparing Bond of Administration, or on sale of Real Estate, or for payment of Costs on Appeal,	0	6	8	
Preparing Citation and Seal,	0	4	0	
Each copy thereof to be served,	0	2	0	
Preparing Affidavit of service of Citation or other process, or any other necessary Affidavit,	0	1	0	
Warrant of Appraisement and Seal,	0	4	0	
Filing every Paper, except Vouchers filed with Accounts,	0	0	6	
Filing every Account and Vouchers,	0	3	4	
All copies of Papers, for first folio,	0	1	0	
Every additional folio,	0	0	6	
Certificate under the Seal, including the Seal,	0	5	0	
Entry of every Order or Decree in the Registry Book, not specially provided for, per folio,	0	0	9	
For every inspection of original Will, and attending the party inspecting the same,	0	2	0	
Every search in every other case,	0	1	0	
Preparing Subpœna and Seal,	0	2	6	
Every Copy or Ticket required,	0	1	0	
Entry of Caveat or Appeal,	0	3	4	
Preparing every Execution, Attachment or other process not specially provided for,	0	2	0	
Certificate of Licence for sale of Real Estate,	0	5	0	

PROCTOR AND ADVOCATE'S FEES.

Taking instructions from Client to commence or defend any proceeding in a Surrogate Court,	£0	15	0	Proctor and Advocate.
Preparing every Petition, Allegation or other Paper necessary to be prepared by him, per folio,	0	1	6	
Every additional copy thereof, per folio,	0	0	6	
Every necessary attendance on the Surrogate,	0	6	8	
Every hearing or argument before the Surrogate not less than half a guinea, nor more than three guineas, at the discretion of the Surrogate.				
Serving every Notice, or other Paper, on each person,	0	1	0	

SHERIFF OR OTHER MINISTERIAL OFFICER'S FEES.

Serving Citation or other process, (Subpœna, excepted) on each person,	£0	2	6	Sheriff.
Posting up same in three public places, directed by Surrogate,	0	5	0	
Serving Subpœna on each person,	0	1	0	
Mileage the same as in other Courts.				

CAP. LXII.

An Act to make more effectual provisions for the Regulation of Seamen in this Province.

Passed 31st March 1840.

Preamble.

‘WHEREAS it is expedient that the laws now in force for the regulation of Seamen in this Province should be repealed, and other and more effectual provision be made in lieu thereof;

7 G. 4, c. 12,
repealed.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the seventh year of the Reign of His Majesty King George the Fourth, intituled “An Act to repeal all the Laws now in force for the regulation of Seamen, and to make more effectual provision for that purpose,” be and the same is hereby repealed.

No capias to be issued against a Mariner for a debt contracted without the allowance of his Master until the voyage be performed.

II. And be it enacted, That if any person shall trust or give credit to any Mariner or Seaman belonging to any ship or vessel, without the knowledge and allowance of the Master or Commander thereof, no capias or other process for the arrest of the person of such Mariner or Seaman for any debt so contracted, shall be issued against or served upon the person of such Mariner or Seaman until he shall have performed the voyage which he may be then entered upon, and be discharged of the same; and every such process so issued shall be deemed and adjudged utterly void in Law; and any one Justice of the Court from whence such process shall issue, or Justice of the Peace (in case the debt demanded may not exceed five pounds,) to whom it shall be made to appear that any Mariner or Seaman is committed or detained upon process granted for any such debt contracted whilst he was engaged, and actually entered and on pay, on any voyage, shall forthwith order his release.

Mariner arrested to be discharged.

Any Mariner having shipped himself on board of any Vessel, or belonging to a vessel arriving, who shall neglect his duty, &c. may be committed to Prison.

III. And be it enacted, That if any Mariner or Seaman having shipped himself on board of any ship or vessel which hath been launched, or is actually preparing for sea, to proceed on any voyage, or belonging to any vessel arriving in the Province and upon pay, shall neglect his attendance, or refuse to do his duty on board, or shall absent himself without leave from his said service, upon complaint thereof made on oath or affirmation, (in the case of persons allowed by law to affirm,) by the owner, consignee, or master or other officer of said ship or vessel, to any justice of the Peace within the said County, such Justice is hereby empowered to cause such Mariner or Seaman to be forthwith brought before him by Warrant, and upon conviction of his neglecting his attendance, or refusing to do his duty on board, or absenting himself without leave as aforesaid, to commit such Mariner or Seaman to prison, that he may be secured and forthcoming to proceed on the voyage he has so agreed for, and to be delivered by order of the Justice who committed him, or some other Justice in the same County, and all necessary charges attending his being so secured, and which have been actually paid by the said owner or master, may be deducted from such Mariner's or Seaman's wages, as the same may become due; and it shall be the duty of the owner or the master or the officer or consignee of such ship or vessel complaining as aforesaid, to supply for the use of the said Mariner or Seaman all necessary bedding, provisions and maintenance during the time of his detention in prison as aforesaid, and pay to the gaoler of said prison his lawful fees on receiving and discharging such Mariner or Seaman; and in default thereof, the said gaoler may make the supplies aforesaid, and maintain an action therefor, together with the fees aforesaid, against the owner of the said vessel, or the master or the officer or consignee complaining as aforesaid, in any Court of Record, or if the same shall not exceed five pounds, before any Justice of the Peace, according to the provisions

All charges attending his being secured to be deducted from his wages.

Mariner to be supplied with bedding, &c. while in Prison.

of

of the Act, intituled "An Act to regulate proceedings before Justices of the Peace in Civil Suits."

IV. And be it enacted, That if any master or commander of any ship or vessel or any other person or persons, shall hire or engage, harbour or conceal any Mariner or Seaman who shall have signed any former contract or articles, knowing him to have deserted from or to belong to any other ship or vessel in the Province, every such master, commander or other person or persons so offending, and being thereof convicted before any two of Her Majesty's Justices of the Peace for the County where the offence is committed, upon the oath or affirmation, (in the case of persons allowed by Law to affirm,) of one or more credible witness or witnesses, or confession of the party charged, shall forfeit and pay such sum as the said Justices shall adjudge, not exceeding ten pounds and not less than two pounds, to be levied by warrant of distress and sale of the offender's goods, under the hand and seal of such Justices, and when recovered one moiety to be paid to the person so prosecuting for the same, and the other moiety to the County Treasurer where the offence is committed, for the use of such County; and if there be no goods or chattels of such offender whereon the said penalty may be levied, it shall and may be lawful for such Justices, by Warrant under their hands and seals, to commit such offender to the gaol of the County where such offence shall be committed, there to remain for a space of time not exceeding sixty days, and not less than ten days; and such Mariner or Seaman who shall desert at any time during the voyage on which he is engaged by written contract or articles, shall over and above the penalties and forfeitures to which he is now by Law subject, forfeit all the wages he may be entitled to on board the vessel entered by him after such desertion, to be detained by the master or owner of such vessel, to and for the use of the owner of the vessel from which he deserted, and to be sued for and recovered from him by such last mentioned owner by action of debt, or on the case, in any Court of Record, or before any Justice of the Peace, if the sum claimed do not exceed five pounds, agreeably to the above recited Act for regulating the proceedings of Justices in Civil Suits.

Engaging or concealing a Mariner, knowing him to have deserted.

Penalty.

Recovery and Application.

For want of goods, offender to be imprisoned.

Mariner deserting shall forfeit his wages in vessel entered after desertion.

Recovery.

V. And be it enacted, That if proof be made upon oath or affirmation (in the case of persons allowed by Law to affirm,) by the owner, agent or master of any ship or vessel, before any of Her Majesty's Justices of the Peace in this Province, that any Seaman or Mariner belonging to such ship or vessel, and who may have deserted or absented himself from the same, be kept or concealed on board of any other ship or vessel within any of the Harbours of this Province, or in any Tavern, pot house or other house or place within the County for which such Justice shall be appointed, or if oath or affirmation, (in the case of persons allowed by Law to affirm,) be made, that such owner, agent or master hath good reason to suspect, and doth verily believe that such Seaman or Mariner is so concealed as aforesaid, it shall and may be lawful for such Justice to issue his Warrant to any of the Constables or Peace Officers within the said County, to make search on board such ship or vessel, or in such Tavern, pot house or other place; and if such Seaman shall be found in such suspected place, that such Justice shall cause such Seaman to be brought before him, and upon conviction of his having so deserted or absented himself, shall cause such Seaman to be delivered over to the owner or master of the ship or vessel to which such Seaman shall belong, to be carried on board such ship or vessel, or to be committed to prison, as directed in the third Section of this Act.

A Justice may issue a warrant to search upon proof by oath of the fact of suspicion that a Mariner is concealed on board a vessel in harbour, in a tavern, pot house, &c.

If such Seaman be found he shall be delivered to the owner, &c.

VI. ' And whereas the practice of enticing Seamen to desert their ships is greatly promoted by the encouragement given to Tavern Keepers and others, ' by

No money or reward shall be given to any person for procuring Seamen.

‘by giving large sums to them for procuring Seamen;’ Be it enacted, That from and after the passing of this Act, it shall not be lawful for any owner, master or agent of any ship or vessel, or other person, either directly or indirectly, to pay or give any money, hire or reward to any Innholder, Tavern Keeper, Shop Keeper or other person or persons, for the procuring of any Seaman or Seamen for any ship or vessel; and that it shall not be lawful for any Innholder, Tavern Keeper, Shop Keeper or other person or persons, to receive any money, hire or reward, either directly or indirectly, for the procuring such Seaman or Seamen; and that any money so to be paid, shall be considered as paid without consideration, and may be recovered back by action or suit in any Court having competent jurisdiction; and that all bonds, notes, bills, agreements, promises or engagements for paying or giving any money, hire or reward for the above mentioned purposes, shall be absolutely null and void to all intents and purposes whatsoever.

Money so paid may be recovered back.

Mariner not to be bound unless agreement be made in writing, &c.

VII. Provided always, and be it enacted, That no Mariner or Seaman shall be bound by entering or shipping himself on board of any ship or vessel, unless the agreement shall be in writing, and declare what wages such Mariner or Seaman is to have for so long a time as he shall ship himself for, and also shall express the voyage for which such Mariner or Seaman was shipped; any thing hereinbefore contained to the contrary notwithstanding.

Enticing or assisting Seamen to desert.

VIII. And be it enacted, That if any person or persons shall aid, entice or assist any Seaman to desert from any ship or vessel, or shall provide or procure, or cause to be provided or procured, for any Seaman the means or assistance to desert from any ship or vessel within the Province, or shall aid or assist any Seaman in the removal of their hammocks, clothing or apparel from on board of any ship or vessel, or shall convey any Seaman from any ship or vessel, without the sanction of the Master or commander of such ship or vessel, such person or persons so offending, for either of the said causes, shall upon conviction thereof be liable to the same penalties and forfeitures as contained in the fourth Section of this Act, to be recovered and applied as hereinbefore provided.

Penalty.

Recovery.

Proceedings in cases of the detention of a Mariner's clothes, chest, hammock or other property.

IX. And be it enacted, That if any person shall detain any Seaman or Mariner's clothes, chest, hammock or other property, it shall and may be lawful for any two of Her Majesty's Justices of the Peace, upon complaint made to them by any such Seaman or Mariner, on oath or affirmation, (in the case of persons allowed by Law to affirm,) to issue their Warrant, directed to any Constable of the County in which such Justices shall have jurisdiction, requiring the said Constable to bring such clothes, chest, hammock or other property before them, and to summon the person so detaining the same to appear before them, to answer for such detainer; and upon a full hearing of the case, on the oath or affirmation (in the case of persons allowed by Law to affirm) of the parties and their witnesses, taken *viva voce*, or on proof that the person required to be summoned could not be found, and that a copy of such Warrant was left at his last place of abode, the said Justices shall and may make such order touching the articles mentioned in the said Warrant, and so brought before them, and the delivery thereof to the party complaining, or the restoration thereof to the party charged with detaining the same, as may be reasonable and just; and in case the articles cannot be found, on proof thereof, and on the appearance of the party charged, and hearing all parties as aforesaid, or proof of the service of a copy of the said Warrant as aforesaid, then the said Justices shall and may order payment of the value thereof, together with the costs of prosecution, if the same shall to them appear reasonable and just, to be levied by warrant of distress and sale of the goods and chattels of the party upon whom such

such order shall be made, to the use of the said Seaman or Mariner; and in default thereof, the said person so detaining the same, to be committed to gaol, there to remain without bail, until the payment of the sum so ordered, and costs aforesaid: Provided always, that no proceedings shall be had unless the value of the articles alleged to be detained shall not exceed ten pounds; and provided also, that no Innholder or Tavern keeper, or other such person shall be allowed to make any claim before the said Justices, for any lien on the said articles mentioned in the said Warrant, or any debt due from the said Seaman or Mariner, if it shall appear that the said Seaman or Mariner was at the time of such application a deserter from or belonging to any ship or vessel.

Proviso as to value of articles and lien of Tavern Keepers.

X. And be it enacted, That all prosecutions instituted for the recovery of any of the penalties imposed for the breach or breaches of any of the provisions of this Act, may be brought in the name of the owner or owners, master, agent or consignee of the ship or vessel to which such Mariner or Mariners, at the time of such breach or breaches shall belong, on account of whom such penalty or penalties shall be incurred.

Prosecutions for penalties may be instituted in the name of the owner, &c. of the vessel to which the Mariner shall belong.

XI. And be it enacted, That this Act shall continue and be in force until the first day of April which will be in the year of our Lord one thousand eight hundred and forty five.

Limitation.

CAP. LXIII.

An Act further to regulate proceedings in Replevin, by allowing damages in certain cases to the Defendant.

Passed 31st March 1840.

‘**W**HEREAS great injustice is sometimes committed by the wrongful Replevin of goods and chattels, in consequence of the party from whose possession such goods and chattels may be taken by Replevin not being entitled to recover damages where a return may be awarded;’ Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That if upon the trial of any issue respecting the property in any action of Replevin, or of any other issue which, upon the same being found in his favour, will entitle the Defendant to judgment for the return of the goods and chattels replevied, or any part thereof, the Jury shall find such issue in favor of the Defendant, such Jury may if they shall think fit, give damages to the Defendant; and the Defendant may enter up his judgment thereupon with such damages and the costs of suit, and may issue execution for such damages and costs in like manner as he now may for the costs of suit only.

Jury may give damages to the Defendant where he would be entitled to judgment for return of goods replevied.

Judgment may be entered up for damages and costs.

II. ‘And whereas it may often be of advantage to allow the goods and chattels which may be wrongfully replevied to be valued by the Jury at the trial of any such issue as aforesaid, and such value to be awarded to the Defendant in damages;’ Be it enacted, That in all cases where the property may not have been already restored to the Defendant, the Jury on the trial of any such issue as aforesaid may, at the instance and request of the Defendant in whose favour such issue may be found, award to such Defendant the value of the goods and chattels in damages; and in such case it shall be so specifically stated in the rendering of their verdict; and the Defendant shall be thereupon entitled to enter up his judgment for the recovery of such damages, and to issue execution thereupon, instead of entering up judgment *de retorno habendo* as heretofore accustomed; and upon the award of such value in damages and judgment thereupon, the Defendant’s right and interest in such goods and chattels shall become vested in the Plaintiff.

Jury may award the value of the goods in damages at the request of the Defendant.

Obligors in Replevin Bonds to be liable for the damages awarded.

Justices of Supreme Court to prescribe forms for Replevin Bonds and entering verdict or judgment.

Forms to be applicable to the Common Pleas.

Commencement of Act.

III. And be it enacted, That all obligors in Replevin Bonds to be made after this Act takes effect, shall become liable and bound to the payment of any such damages as may be awarded to the Defendant by virtue of this Act.

IV. And be it enacted, That the Justices of the Supreme Court, or any three of them, shall have power and they are hereby authorized and required at any Term of the said Court which may occur after the time of passing this Act, to frame and prescribe proper and suitable forms for the Replevin Bonds hereafter to be taken, and for the entering of any verdict or judgment pursuant to this Act, which shall be published in the Royal Gazette; and such forms shall, from the time of this Act taking effect, be observed and complied with in the same manner as if the same were in this Act specified and contained; and such forms shall be applicable to the Inferior Court of Common Pleas as well as the Supreme Court.

V. And be it enacted, That this Act shall commence and take effect on the first day of January in the year of our Lord one thousand eight hundred and forty one: Provided always, that in the mean time the Justices of the Supreme Court may frame and prescribe the forms mentioned in the fourth Section: Provided also, that nothing in this Act contained shall extend or be construed to extend to affect any proceedings in any action of Replevin commenced before this Act goes into operation.

CAP. LXIV.

An Act in addition to the Acts for the amendment of the Criminal Law.

Passed 31st March 1840.

Offenders convicted of specified offences as misdemeanors may be sentenced to imprisonment with or without hard labor, be fined and required to find sureties for keeping the Peace.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That where any person shall be charged with and convicted of any of the following offences as misdemeanors, that is to say, of any riot, falsely making or counterfeiting any coin, uttering any counterfeit coin knowing the same to be counterfeit, any subornation of perjury, keeping any bawdy house, gaming house or other disorderly house, or of any act of open lewdness or indecency, in any such case the Court may sentence the offender to be imprisoned with or without hard labour in the Common Gaol or House of Correction for any term not exceeding two years, and may also, if it shall so think fit, fine the offender and require him to find sureties for keeping the Peace and being of good behaviour.

1 W. 4, c. 14.

II. 'And whereas in and by the fourth, fifth, sixth and seventh sections respectively of an Act made and passed in the first year of the Reign of His late Majesty King William the Fourth, intituled "An Act for improving the administration of Justice in Criminal cases," it is enacted that the Justice or Justices or Coroner, as the case may be, by whom any examinations, informations, evidence, inquisitions, bailments and recognizances which are in and by the said respective sections of the said Act required, shall be taken, shall deliver or transmit the same to the proper Officer of the Court in which the trial is to be, before or at the opening of the Court; and whereas great inconvenience and detriment to the course of public justice are found to arise from the delays which occur in such delivery or transmission: for remedy whereof,' Be it enacted, That the Justice or Justices or Coroner, as the case may be, by or before whom shall be taken any such examinations, informations, evidence, inquisitions, bailments or recognizances as are in the said respective sections of the said Act required or mentioned, shall deliver or transmit the same to the proper Officer of the Court where the trial is to be, forthwith after the same shall be taken, any thing contained

Examinations, Informations, bailments, recognizances, &c. to be delivered to the proper officer of the Court forthwith after the same shall be taken.

contained in the said recited Act notwithstanding, upon pain of being deemed guilty of a contempt of such Court.

CAP. LXV.

An Act to amend the Law of Evidence in regard to the proof of Records and Letters Patent.

Passed 31st March 1840.

‘**W**HEREAS unnecessary expense is frequently incurred in the exemplification of Judgments in the Supreme Court;’ Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That when parts only of Records or Rolls of Judgments in the Supreme Court may be necessary to be given in evidence, exemplifications of such parts which may be so necessary, may be received in evidence in any Court in this Province, without requiring the whole of the Record or Roll to be exemplified.

Exemplifications of parts of Records of Judgments in the Supreme Court may be received in evidence.

II. ‘And whereas much expense is often incurred in procuring exemplifications under the Great Seal of Grants of Land by the Crown in this Province;’ Be it enacted, That a copy from the Record of any such Grant in the office of the Secretary and Register of the Province, duly certified under the hand of such Officer, as having been examined by him with the Record, and found to be correct, or duly proved by any witness who shall have examined the same with the Record, shall be deemed and taken to be as good and sufficient evidence of such Grant or Letters Patent as an exemplification thereof under the Great Seal.

A copy of the record of any grant in the office of the Secretary and Register certified by the Secretary, or duly proved, to be deemed as good evidence as an exemplification.

III. And be it enacted, That in the proof of title from the Crown by an exemplification under the Great Seal, or by a certified or an examined copy as is hereinbefore provided, it shall not be necessary to exemplify or copy the conditions contained in such Letters Patent, on the part of the Grantees, their Heirs and Assigns, to be observed and performed, or any other clause in the said Letters Patent which may not be pertinent or relevant to the matter in question; and that no such exemplification or copy shall be rejected in evidence on account of the omission of such clauses, provided such omission do not prejudice the opposite party, or affect the merits in question.

In proof of title by exemplification or a certified or examined copy, it shall not be necessary to exemplify the conditions of the grant.

Proviso.

IV. Provided always, and be it enacted, That when the said Letters Patent or Grant refer to any Plat or Plan as annexed thereto, no exemplification or copy of such Letters Patent or Grant shall be received in evidence, unless there be annexed thereto a true transcript or copy of such Plat or Plan, unless it be proved by the certificate of the Secretary and Register or otherwise, to the satisfaction of the Court at which the evidence may be tendered, that there is no such Plat or Plan entered with the said Grant or Letters Patent in the said Office of the Secretary and Register.

A copy of the Plat referred to in the grant to be annexed to the exemplification unless it be certified that no plan has been entered with the grant.

V. And be it enacted, That Grants of Land heretofore made under the Great Seal of Nova Scotia, prior to the erection and establishment of this Province, and registered in the Office of the Secretary and Register pursuant to an Act passed in the twenty sixth year of the Reign of King George the Third, intituled “An Act for the registering of Letters Patent and Grants made under the Great Seal of the Province of Nova Scotia, of Lands now situate within the limits of this Province,” may be proved by certified or examined copies thereof, or of the material parts thereof, in like manner as hereinbefore provided in respect to Grants passed under the Great Seal of this Province.

Grants of Land registered pursuant to Act 26, G. 3, may be proved by certified or examined copies.

VI. And be it enacted, That the expense of any exemplification, or copy of any Roll, Record or Letters Patent, or any part thereof, or of any Plat or Plan given

Expense of an exemplification or copy of any Roll, Record or Letter

Patent may be
allowed in taxing
costs.

given in evidence by virtue of this Act, may be charged and allowed in the taxation of costs in whole or in part by the taxing Officer of the Court wherein the suit may be pending, whose decision thereupon may be reviewed by the Court as in ordinary cases.

CAP. LXVI.

An Act to incorporate the Chamcook Mill and Factory Company.

Passed 31st March 1840.

Preamble.
6 W. 4, c. 70.

WHEREAS an Act made and passed in the sixth year of the Reign of His late Majesty King William the Fourth, intituled "An Act to incorporate the Chamcook Mill and Factory Company," has ceased and determined by reason of the provisions of the third Section thereof not having been complied with: And whereas it is still considered that an extensive Manufactory of Cotton Wool into Cloth, and a more extensive manufacture of Lumber and other articles than is now established at Chamcook, in the County of Charlotte, is desirable, and that it will be essential to the success of the undertaking that an Act of Assembly again incorporating a Company for these purposes should be granted, and will tend materially to benefit the trade of this Province:

The Chamcook
Mill and Factory
Company incor-
porated.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That John Wilson, James Rait, Thomas Sime, Edward Wilson, E. D. W. Ratchford, Samuel Abbot, Joseph Walton, John M'Allister, Joseph Wilson and William Babcock, and all and every such other person and persons as shall from time to time become proprietors of Shares in the Corporation hereby established, their successors and assigns, shall be and they are hereby erected into a Company, and declared to be a Body Politic and Corporate, by the name of *The Chamcook Mill and Factory Company*, for the purposes in the preamble to this Act mentioned, and by that name shall have all the general powers and privileges made incident to a Corporation by Act of Assembly in this Province.

Capital to be
£60,000.

II. And be it enacted, That the Capital Stock of the said Corporation shall consist of the sum of sixty thousand pounds, the whole amount of the said Stock to be divided into twenty four hundred shares of twenty five pounds each.

Act to be void if
20 per centum of
Capital be not paid
in, and certificate
filed in the Secre-
tary's Office with-
in three years.

III. Provided always and be it enacted, That unless one fifth part of the said Capital Stock shall be actually paid in for the purposes of the said Corporation, and a certificate of such payment signed and verified on oath by the Directors of the said Corporation, or a majority of them, (which oath any Justice of the Peace is hereby authorized to administer,) shall be filed in the office of the Secretary of the Province before the expiration of three years after the passing of this Act, the operation of this Act shall cease and the existence of the said Corporation be terminated at the expiration of such three years.

CAP. LXVII.

An Act to authorize the Justices of the Peace for the County of Charlotte to levy an assessment to pay off the County Debt.

Passed 31st March 1840.

Justices may as-
sess for £750 to
pay off the County
debt.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the Justices of the Peace for the County of Charlotte, at any General Sessions of the Peace hereafter to be holden, be and they are hereby authorized and

and empowered to make such rate and assessment of any sum not exceeding seven hundred and fifty pounds, as in their discretion they may think necessary, for the purpose of paying off the Debt of the said County; the same to be assessed, levied, collected and paid, agreeably to any Acts now or hereafter to be in force for the assessing, collecting and levying of County Rates.

CAP. LXVIII.

An Act relating to Wrecked Property.

Passed 31st March 1840.

I. **B**E it enacted by the Lieutenant Governor, Legislative Council and Assembly, That it shall and may be lawful for the Lieutenant Governor or Commander in Chief for the time being, by and with the advice of Her Majesty's Executive Council, to appoint and also to re-appoint and supply, where it may be expedient, in each of the Counties of this Province, where he shall think it necessary, one or more Commissioners of Wrecks and shipwrecked Goods; which said Commissioners before they enter on the duties of their office shall be sworn to the faithful discharge thereof by the Clerks of the Peace respectively of the several Counties for which the said Commissioners may be appointed.

Governor in Council to appoint Commissioners of wrecks and shipwrecked goods.

To be sworn.

II. And be it enacted, That the Commissioner or Commissioners for each County, or any two Commissioners (should more than two be appointed for any County), shall immediately on receiving information of any Shipwreck, or of the finding any Shipwrecked Goods or Property of any kind, to the amount or value of twenty five pounds or more, on any of the shores or waters within his or their County, or of any abandoned or wrecked Ship or Vessel, Property or Goods having been brought into his or their County, repair to the place where the said property may be found or brought, and in case the same shall not be in the custody of any owner, or agent of such owner, or other lawful authority, or any owner or agent or lawful authority as aforesaid shall so request, shall take charge thereof, and shall preserve and secure the same for the owner.

Commissioners on information of a Shipwreck or of finding wrecked property to the value of £25, to repair to the place and take charge.

III. And be it enacted, That the said Commissioner or Commissioners may employ as many persons as he or they shall think necessary to assist in preserving the property, and may appoint guards to secure the same, and shall and may have full power and authority to suppress all tumults and disorders; and if any person shall disobey any lawful order of such Commissioner or Commissioners, for the suppression of any tumults or disorders, he shall forfeit for every such offence the sum of ten pounds, to be recovered by action of debt, in any Court of Record in this Province, by and in the name of the said Commissioner or Commissioners to his or their use.

May employ persons to assist in preserving the property, appoint guards, and suppress tumults.

Penalty for disobeying a Commissioner.

IV. And be it enacted, That the said Commissioner or Commissioners shall on every such occasion take an inventory of all the Property that shall come to his or their possession; and when required by the owner of the Property or his agent, or by any Insurance Company or Underwriter, or other person interested in the said Property, shall make oath to the truth of such Inventory, and shall deliver a copy thereof, if required, together with all the said Property to the owner, agent or other person lawfully authorized to receive it as aforesaid: Provided that there shall first be paid, or secured to be paid to the said Commissioner or Commissioners a reasonable compensation for his or their services and expenses, and such duties and other charges as he or they shall have paid, or become liable to pay, upon or for the Property in question.

To take an inventory of property that shall come to their possession. To attest on oath if required, and deliver property to the owner;

Compensation and expenses being first paid.

Owner not to be liable to pay any expenses to others than the Commissioners.

Exception.

Intermeddling with property after the arrival of a Commissioner.

Penalty.

Recovery.

If the Commissioners and owners of property cannot agree as to compensation and expenses, the same to be submitted to arbitration.

Commissioners to publish particulars of Shipwrecks and goods found when no owner may be present.

Penalty for neglect.

Commissioners may sell on due notice a sufficiency of property found to pay duties, &c.

When the property is of a perishable nature, it may be sold within sixty days.

V. And be it enacted, That no owner or other person or persons interested in any such Property, shall be liable to pay any person or persons, other than the said Commissioner or Commissioners, any charge for services or expenses in taking or securing the said Property, unless it be for property taken or secured before any Commissioner or Commissioners shall take charge of the said Property.

VI. And be it enacted, That if any person shall after the arrival of any such Commissioner or Commissioners take, detain or intermeddle with any Property, shipwrecked or found as aforesaid, except under the direction of such Commissioner or Commissioners, owner or agent, or other person or persons interested, he shall forfeit a sum not exceeding two hundred and fifty pounds for each offence, to be recovered in an action of debt which may be brought by the said Commissioner or Commissioners, owner, agent or party interested as aforesaid, in any Court of Record in this Province, to the use of such Commissioner or Commissioners, owner, agent or party interested as aforesaid.

VII. And be it enacted, That if the said Commissioner or Commissioners, and the said owner or owners, agent or other person lawfully authorized to receive the said Property, shall not agree on the sum so due to the said Commissioner or Commissioners, as to the compensation to be allowed to him or them for his or their services, and for his or their expenses and charges as aforesaid, the same shall and may be submitted to three arbitrators, one to be chosen by each party, and the two so chosen to choose a third, and in case either shall omit or refuse to choose an arbitrator within six days from the time of such disagreement, the other party to name both, the award of whom shall be conclusive as to such compensation, expenses and charges.

VIII. And be it enacted, That the Commissioner or Commissioners aforesaid, as soon as may be after his or their arrival at the place where any Wreck or Goods shall be found, if there be no owner, agent or person lawfully authorized as aforesaid present, shall publish the particulars of the Shipwreck and of the Goods found, with such other material facts as he or they shall ascertain, in order that knowledge thereof may be given as soon as possible to the owner, agent or person interested; and if the said Commissioner or Commissioners shall neglect so to do, he or they shall forfeit the sum of one hundred pounds, to be recovered by action of debt at the suit of the owner, agent or other person or persons interested to his or their own use.

IX. And be it enacted, That the said Commissioner or Commissioners may dispose of so much of the said Property by public auction, within thirty days after taking the same into his or their custody, and upon giving fourteen days public notice in one or more of the public newspapers of the County where the Goods or Wreck may be, or by handbills posted up in three or more of the most public places in the said County, and also on the morning of the day when the same shall be offered for sale, as shall be sufficient to pay all duties and other charges and expenses thereon which he or they shall have paid or become liable for to the Custom House or Treasurer of the Province.

X. And be it enacted, That when such Property is of a perishable nature, and may be reduced in value by keeping it for one year, and no owner, agent or other person or persons interested therein, shall appear to claim it within sixty days after it shall have been taken into the custody of the said Commissioner or Commissioners, and such particulars published as aforesaid, such Commissioner or Commissioners shall advertize the said Property in the manner hereinbefore mentioned, and shall sell the same by public auction to the best advantage.

XI.

XI. And be it enacted, That if no Owner, Agent, or other person or persons interested in such property, shall appear within one year after it shall have been taken into the custody of the said Commissioner or Commissioners, and published as aforesaid, and establish his or their claim thereto, the said Commissioner or Commissioners shall present to the Treasurer of the Province or Deputy Treasurer, an Inventory of the Property, or, if sold, an account of the sales, with an account of all monies paid by him for duties on the Property and for the expenses of securing and preserving the same; and he shall make oath to the truth of such Inventory and accounts, and shall pay and deliver to the said Treasurer, or Deputy Treasurer, the balance of such accounts, with all the said Property remaining in his hands for the use of the Province; Provided, that there shall first be paid or allowed to the said Commissioner or Commissioners, out of such balance, such compensation for his or their services as shall be just, to be ascertained, in case of disagreement between the said Commissioner or Commissioners and the said Treasurer or Deputy Treasurer, in the same manner that is hereinbefore provided for the adjustment of the like question between the said Commissioner or Commissioners and the owner of such Property.

If no owner appear within one year, and establish a claim, an inventory or account of sales to be furnished to the Province Treasurer or Deputy and balance paid over.

Commissioner's compensation to be first paid.

XII. And be it enacted, That if any such Commissioner or Commissioners shall for the space of sixty days after the expiration of the year hereinbefore limited for his accounting with the Treasurer or Deputy Treasurer neglect to present to the Treasurer or Deputy Treasurer the Inventory and accounts before mentioned, and to pay and deliver the balance due thereon, deducting the compensation aforesaid, together with all the said Property remaining in his hands, it shall be the duty of the said Treasurer to place the same in the hands of the Attorney General to prosecute therefor, in the name of and behalf of Her Majesty, for the use and benefit of the Province.

Commissioner to be prosecuted if accounts be not rendered and balance paid.

XIII. And be it enacted, That if any person shall exhibit any false Light or Signal, with intent to bring any Ship or Vessel into danger, or shall unlawfully and maliciously do any thing tending to the immediate loss or destruction of any Ship or Vessel in distress, or shall by force prevent or impede any person endeavouring to save his life from such Ship or Vessel, (whether he shall be on board or shall have quitted the same,) every such offender shall be guilty of Felony, and being convicted thereof shall suffer death as a Felon.

Exhibiting false lights or signals or preventing any person to save his life from any vessel in distress, &c. deemed Felony, punishable with death.

XIV. And be it enacted, That if any person shall plunder, steal, or destroy any wrecked, stranded, or abandoned Ships or Vessels, or any Vessel which shall be in distress, or Goods, Wares, or Merchandize belonging to such Ship or Vessel, which shall be wrecked, lost, abandoned, or cast on shore on the Coasts of this Province, or shall be found adrift or floating in any of the Bays or Harbours thereof, such person shall be guilty of Felony, and being convicted thereof, shall be liable to be punished in the manner prescribed for Felony by "An Act for improving the administration of Justice in Criminal cases."

Plundering goods or vessels wrecked, &c. deemed Felony.

CAP. LXIX.

An Act further to provide for the expenses of the Legislature.

Passed 31st March 1840.

‘ WHEREAS to ensure a proper representation of all the various interests of the Province in the second branch of the Legislature, it is just and reasonable that some provision should be made to defray the expenses of such Members thereof attending in General Assembly as do not enjoy large Salaries by any office of emolument under Government;

Preamble.

I.

£150 for each Session of the General Assembly granted to the President of the Legislative Council.

Twenty shillings per diem, limited to £50 for each Session granted to each Member of the Legislative Council.

Exception.

Allowance for travelling charges.

Money to be paid by the Treasurer by Warrant of the Lieutenant Governor.

Limitation.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That there be allowed and paid out of the Treasury of the Province, to the President of the Legislative Council, the sum of one hundred and fifty pounds for each and every Session of the General Assembly.

II. And be it enacted, That there be allowed and paid out of the said Treasury, to each and every Member of the Legislative Council, except as is hereinafter excepted, for defraying the expenses of attendance in General Assembly, the sum of twenty shillings *per diem*, for the attendance of the Legislative Council, to be certified by the President thereof: Provided always, That no greater sum shall be allowed to any Member for any one Session than Fifty Pounds; and provided further, that each and every Member of the said Legislative Council, who may enjoy any place or office under Government, exceeding the clear yearly income of two hundred pounds, shall not be entitled to be certified by the said President, or entitled to payment for such attendance.

III. And be it enacted, That for defraying the travelling charges of the Members of the Legislative Council, there be allowed and paid out of the said Treasury the sum of twenty shillings *per diem* to each and every Member, allowing twenty miles for each day's travel: the same to be certified as directed in and by the second Section of this Act.

IV. And be it enacted, That the several and respective sums of money hereinbefore mentioned, shall be paid by the Treasurer, by Warrant of His Excellency the Lieutenant Governor or Commander in Chief for the time being, by and with the advice and consent of Her Majesty's Executive Council, out of the monies now in the Treasury, or as payments may be made at the same.

V. And be it enacted, That this Act shall continue and be in force for ten years and no longer.

CAP. LXX.

An Act to extend the jurisdiction of the Corporation of the City of Saint John, for the regulation of the rates of Pilotage, beyond the limits now prescribed by Charter.

Passed 31st March 1840.

Corporation of Saint John empowered to make Laws for the regulation of Pilots in respect to rates of Pilotage as distance money.

Limitation.

I. **BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the Mayor, Aldermen and Commonalty of the City of Saint John, in Common Council convened, be and they are hereby authorized and empowered to make Laws and Ordinances for the regulation of the Branch Pilots of the Port of Saint John in respect to rates of Pilotage to be taken by them as distance money, extending to such parts of the Bay of Fundy in connexion with the Harbour of Saint John as they shall deem expedient, and under such penalties, restrictions and forfeitures as the said Common Council may see fit.

II. And be it enacted, That this Act shall remain and be in force until the first day of April, one thousand eight hundred and forty three.

CAP. LXXI.

An Act to amend the Act to alter the times for the appointment of Sheriffs and Supervisors of Great Roads.

Passed 31st March 1840.

I. **BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the eighteenth section of an Act made and passed in the seventh

seventh year of the Reign of His late Majesty King William the Fourth, intituled "An Act relating to the Great Roads of Communication through this Province;" and also so much of an Act made and passed in the first year of the Reign of Her present Majesty Queen Victoria, intituled "An Act to alter the times for the appointment of Sheriffs and Supervisors of Great Roads," as applied to the appointment of Supervisors, be and the same is hereby repealed.

1 Victoria, c. 15,
in part repealed.

II. And be it further enacted, That the several and respective Supervisors of Great Roads shall be appointed for and during the space of one year from the first of April in each and every year, and such appointments shall be made in the month of March in each and every year; and in case of death or removal from the Province, or refusal of any such Supervisor to act, or for other sufficient cause shewn to the Lieutenant Governor or Commander in Chief, for the removal of any Supervisor or Supervisors, it shall and may be lawful for the Lieutenant Governor or Commander in Chief for the time being, by and with the advice of the Executive Council, to nominate and appoint for the remainder of the year some other fit and proper person to be Supervisor in the room of such person so deceased, or removed from the Province, or who shall refuse to act, or be removed from other sufficient cause.

Appointments of
Supervisors to be
for one year from
1st April, and to
be made in the
month of March.

Vacancies by
death, removal,
refusal to act, &c.
may be supplied.

III. And be it enacted, That when it shall be made to appear to the Lieutenant Governor or Commander in Chief for the time being, that any Supervisor has neglected to render to the Secretary of the Province, accounts, duly vouched and attested, of the expenditure of all the monies received by him from the Treasury of the Province in the year preceding the commencement of the annual Session of the Legislature, at an early period of such annual Session, or who shall have drawn monies from the Treasury contrary to the rules made by the Lieutenant Governor in Council for the government of Supervisors, then and in such case it shall and may be lawful for the Lieutenant Governor or Commander in Chief for the time being, and he is hereby authorized and empowered, to displace such Supervisor, and appoint another fit person to be Supervisor in his stead.

Lieutenant Govern-
or may displace
(and appoint ano-
ther in his stead,)
any Supervisor
neglecting to ren-
der accounts, or
drawing money
from the Treasury
contrary to rules.

CAP. LXXII.

An Act to facilitate the means of supplying the City of Saint John with Water.

Passed 31st March 1840.

WHEREAS a Company incorporated under the authority and by virtue of several Acts of Assembly of this Province, called "The Saint John Water Company," has lately been established in the City of Saint John for the purpose of supplying the said City with Water; and whereas the operations of the said Company have been found very conducive to the security of property and the interest and convenience of the Inhabitants of the said City, and it is considered that further public advantages will be derived by authorizing the said Company to relinquish their Charter of Incorporation, and to place the future operations thereof under the controul of the Mayor, Aldermen and Commonalty of the City of Saint John:

Preamble.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That it shall and may be lawful for the President and Directors for the time being, of the Saint John Water Company, or the major part of them, at any time or times after the passing of this Act, by public advertisement in two or more of the Newspapers published in the said City, to require the Stockholders of the said Company to pay in all or such part of the residue of the Capital Stock now remaining

President and Di-
rectors of the Saint
John Water Com-
pany may call in
the outstanding
Capital Stock.

On default of payment may proceed to recover or forfeit the shares.

remaining unpaid, as they the said President and Directors, or the major part of them shall think fit, by such instalments and proportions and at such times and periods, and in such manner as they the said President and Directors or the major part of them shall from time to time direct and appoint; and in case default shall be made in payment of any part of the residue of the said Capital Stock so to be required, it shall be lawful for the said President and Directors of the said Company for the time being, or the major part of them, to take all such measures to recover the same, or to provide for the forfeiture of the Shares in respect of which such default shall have been made as the said President and Directors might or could have lawfully taken with regard to defaults of a like nature made in respect of any part of the residue of the Capital Stock which has been required to be paid in previous to the passing of this Act.

To pay off all the Corporation debts except the Treasury Loan.

II. And be it enacted, That the said President and Directors shall, as soon as conveniently may be, pay off and discharge all the debts, liabilities and engagements of the said Company, of what nature or kind soever, excepting only the loan of five thousand pounds and the interest thereof, heretofore granted to the said Company from the Province Treasury, by virtue of an Act of Assembly, passed in the eighth year of the reign of His late Majesty King William the Fourth, intituled "An Act to grant a loan of five thousand pounds to the Saint John Water Company."

8 W. 4, c. 11.

Statement of the affairs of the Company to be made up.

Contents.

III. And be it enacted, That it shall be the duty of the President and Directors of the said Company for the time being, within one month after the passing of this Act, to make up and prepare a just, true and correct statement of the whole of the affairs of the said Company, which said statement shall shew the whole amount expended and paid by the said Company for any purpose or purposes whatever, the debts, obligations and liabilities of and the claims against the said Company, and each and every of them, of what nature or kind soever, all sums of money from time to time received, and the times when the same may have been received, as well on account of the Capital or Stock of the said Company or otherwise howsoever, and all sums of money due and owing to the said Company; and likewise shall set forth and state all the property of the said Company, as well real as personal, and all other matters and things whatsoever relating to the said Company; which said accounts shall be verified under the respective oaths of the President and Secretary of the said Company, and shall be delivered to the Mayor of the said City for the time being, for the information of the said Mayor, Aldermen and Commonalty; and within fourteen days after such delivery of the said accounts, the President and Directors for the time being of the said Saint John Water Company shall nominate and appoint two fit and proper persons, not being Directors of the said Company for the time being, and the said Mayor, Aldermen and Commonalty of the City of Saint John, in Common Council convened, shall nominate and appoint three fit and proper persons, being Members of the said Common Council or otherwise, which five persons so nominated and appointed shall forthwith, on receiving notice of their appointment, proceed to investigate the whole affairs and operations of the said Company, and to examine and inspect the books, documents, papers, vouchers and writings relating to the business of the said Company, and also all the property, machinery and works of the said Company; and after such examination and inspection the said persons so nominated and appointed as aforesaid, or the major part of them, shall make a full report in writing under their hands of the state of the affairs and business, and also of the property, machinery and works of the said Company; one copy of which said report shall be furnished to the said President and Directors of the said Water

To be verified on oath and delivered to the City Corporation.

After delivery, persons to be appointed by the Water Company and City Corporation to examine the same and all the property, machinery, &c. and report in writing.

Water Company, and another copy thereof shall be delivered to the Mayor of the said City, for the use and information of the Common Council thereof.

IV. And be it enacted, That after the said reports shall have been finished and delivered as hereinbefore provided, in case an agreement for that purpose shall be made between the said Saint John Water Company and the said Mayor, Aldermen and Commonalty, it shall and may be lawful for the said Saint John Water Company, by good and sufficient assurances in the Law, to assign, transfer, convey and assure to the said Mayor, Aldermen and Commonalty of the City of Saint John, their successors and assigns for ever, all the lands, tenements and hereditaments, machinery, engines, water pipes, goods, merchandize, chattels, fixtures and effects of the said Company, of what nature or kind soever and wheresoever, and all their estate and interest therein, with all rights, privileges and appurtenances to the same belonging, for such sum or sums of money as a consideration for the same, and in such manner to be paid as may be fixed and determined by agreement between the said Mayor, Aldermen and Commonalty of the City of Saint John, and the said Saint John Water Company.

After reports finished and delivered, if an agreement can be made, the Water Company may assign all their property to the City Corporation in consideration of such sum as may be agreed on.

V. And be it enacted, That upon the said transfer and assignment to the said Mayor, Aldermen and Commonalty of the City of Saint John, of all the property and effects of the said Saint John Water Company, being completed in manner hereinbefore provided, and notice thereof published in two or more of the Newspapers printed in the said City of Saint John, then the establishment of the said Company by the name of the Saint John Water Company shall cease and be dissolved, and all the provisions contained in any Act or Acts of Assembly relating to the establishment, constitution and regulation of the said Company shall be void and of no effect, and the Directors then in office shall take immediate and effectual measures for dividing the securities or debentures hereinafter mentioned, to be received for the consideration money for such transfer among the Stockholders of the said Company, in proportion to their respective interests.

Upon the transfer being completed and public notice given, the Water Company to be dissolved and Acts of Assembly relating thereto void.

Directors in Office to divide the securities hereinafter mentioned, among the Stockholders.

VI. And be it enacted, That upon the dissolution of the said Saint John Water Company as hereinbefore provided, it shall be the duty of the said Mayor, Aldermen and Commonalty of the City of Saint John, and they are hereby required, forthwith to proceed with and continue the operations for supplying the said City and its vicinity with Water, in manner contemplated by the said Acts of Assembly hereinbefore mentioned, and according to the true intent and meaning thereof; and the said Mayor, Aldermen and Commonalty of the City of Saint John shall have and exercise all the powers, privileges and authorities, and be subject to all the regulations and provisions mentioned and contained in the fifteenth, sixteenth, seventeenth and eighteenth Sections of the Act passed in the second year of the Reign of His late Majesty King William the Fourth, intituled "An Act to incorporate sundry persons by the name of the Saint John Water Company," so far as the same may be applicable to the said Mayor, Aldermen and Commonalty of the City of Saint John, and as fully and effectually to all intents and purposes as if the said Mayor, Aldermen and Commonalty of the City of Saint John had taken up and subscribed for the whole of the said Capital Stock within one calendar month after the passing of the said last recited Act, as mentioned and expressed in the nineteenth Section thereof.

Upon the dissolution of the Water Company, the City Corporation to continue the operations for supplying the City with water, and exercise the powers and be subject to the regulations mentioned in the Act 2 W. 4, c. 26.

VII. And be it enacted, That the said Mayor, Aldermen and Commonalty of the City of Saint John do and shall, in every Street or Road through which the Pipes for conducting the Water shall be laid, make and provide proper vents and openings at convenient and proper places and distances from each other, for supplying Water whenever Fires shall happen in the said City or the vicinity thereof.

Vents and openings to be made for supplying water in cases of fire.

VIII.

City Corporation
to cause accounts
relating to the
supply of Water to
be kept separate
from other City
affairs.
To appoint persons
to manage the
operations.

To make rules for
the persons em-
ployed and sup-
plied with water.

City Corporation
may issue notes or
debentures for the
payment of the
Water Company.

To bear interest.

VIII. And be it enacted, That the said Mayor, Aldermen and Commonalty of the said City shall cause all the matters and accounts relating to or connected with the operations of supplying the said City and its vicinity with Water, to be kept separate and distinct from all the other affairs and accounts of the said City; and shall, for the purpose of carrying on such operations, nominate and appoint from time to time as to them in Common Council shall seem meet, one or more person or persons to superintend and manage the same under their directions; and such person or persons may displace and appoint others in his or their stead; and shall have full power and authority in Common Council to make, ordain, establish and declare, by ordinance or otherwise, such rules, regulations and orders for the due government and regulation of the persons employed or connected with such establishment and of all other persons whomsoever, as well with respect to the use of the Water as otherwise howsoever, and shall and may enforce obedience to such rules, regulations and orders, by penalties and fines, in the same manner as the said Mayor, Aldermen and Commonalty of the said City are empowered and enabled to do under and by virtue of any laws or ordinances made and ordained by them, in pursuance of the Charter of the said City.

IX. And be it enacted, That for the purchasing and paying for the rights and interests of the Stockholders in the said Company, and likewise for carrying on the future operations connected with the supplying the said City and its vicinity with Water, it shall and may be lawful to and for the said Mayor, Aldermen and Commonalty of the City of Saint John, in Common Council convened, by Resolution from time to time duly passed and entered in the minutes of their proceedings, to issue Notes or Debentures for such sum or sums of money, and in such amounts as they may deem advisable; the amounts named and expressed in such Notes or Debentures to bear Interest at and after the rate of six pounds per centum per annum, which Notes or Debentures shall be signed by the Mayor of the said City, and countersigned by the Chamberlain and Common Clerk of the said City, and shall be in the following form, namely:

Form of Notes or Debentures.

Number.

City of Saint John,
Province of New Brunswick.

Form.

Whereas by virtue of an Act of the General Assembly of the third year of the Reign of Queen Victoria, Chapter intituled "An Act to facilitate the means of supplying the City of Saint John with Water," authority was given to the Mayor, Aldermen and Commonalty of the City of Saint John, on the purchase by the said Corporation of the Stock of the Saint John Water Company, to give Notes or Debentures to the Stockholders of the said Company pursuant to the terms of the said Act, and [*here insert Parish, County and Province, and occupation, as the case may be,*] being the owner of Shares of the Capital Stock of the said Saint John Water Company, at £ per Share, amounting in the whole to the sum of £ [*or in case of a loan for carrying on the operations of the said Saint John Water Company, of (here insert place of residence and other particulars as before,)* having loaned to the said Mayor, Aldermen and Commonalty, for and on account of the said Saint John Water Company, the sum of £]

Now therefore, this Note or Debenture is chargeable, as respects the Interest of the sum mentioned in the said Note or Debenture, on all the estate, lands, tenements and hereditaments, revenues, goods, chattels and effects whatsoever and wheresoever, belonging to the said Mayor, Aldermen and Commonalty, or which shall

shall hereafter belong to the said Mayor, Aldermen and Commonalty, for the Interest which may be due on the said sum of £ at and after the rate of six per centum, the said Interest to be paid half yearly, agreeably to the provisions of the said Act; and this Note or Debenture is further chargeable as respects the said principal sum of £ on all the estate, lands, tenements and hereditaments, revenues, goods, chattels and effects which the said Mayor, Aldermen and Commonalty hold by transfer or otherwise from the said Saint John Water Company, and on the said last mentioned property only, for the said principal sum of £ payable at such time and times as the said Mayor, Aldermen and Commonalty shall, in Common Council, from time to time declare, pursuant to the provisions of the said Act; the said principal sum and interest money aforesaid, or either of them, to be paid to the said or to such person or persons as he or they shall authorize, by indorsement or writing on the face thereof, according to the form in Schedule A., to receive the same. Given under my hand this day of in the year, &c.

Debenture £

Half yearly Interest £

Mayor of the City of Saint John.

By order of the Common Council.

, *Chamberlain.*

, *Common Clerk.*

SCHEDULE A.

Form of Transfer.

I [*the person named in the Note or Debenture,*] do hereby authorize or such person as he shall appoint to receive the amount of the within [*or this*] Note or Debenture, and the interest.

Form of Transfer.

and shall be transferable by indorsement, and shall be redeemed and redeemable at such time or times as the said Mayor, Aldermen and Commonalty, in Common Council convened, shall from time to time appoint and determine; and the interest thereof at the rate aforesaid, shall be paid half yearly, on the thirty first day of December and thirtieth day of June in each and every year; and in case of delay or default in payment of such interest monies, it shall and may be lawful to and for the holder or holders of any such Notes or Debentures, from time to time, to compel the said Mayor, Aldermen and Commonalty, after demand being made for the payment of the same interest money upon the Chief Superintendent of the said Water Works, and also upon the Chamberlain of the said City, by action at Law or otherwise, to pay the same, with costs of suit and interest thereon from the time of such demand being made on the said Chamberlain; provided that no Note or Debenture for a less sum than one hundred pounds shall be issued by virtue or under the authority of this Act, any thing herein contained to the contrary thereof notwithstanding.

Interest to be paid half yearly.

Proceedings in case of default.

No Debenture to be for less than £100.

X. And be it enacted, That the Mayor, Aldermen and Commonalty of the City of Saint John may grant to the holders of any Debentures or Notes issued under and by virtue of this Act, in addition to the interest on the said Debentures or Notes, such a portion of the income or proceeds from the Water Stock as they, in Common Council, shall think proper, not exceeding however in the whole one fifteenth part of the gross proceeds or income from the said Water Stock.

City Corporation may grant to the holders of the Debentures a portion not exceeding one fifteenth of the gross proceeds from the Water Stock.

XI. And be it enacted, That for securing the payment of the said interest money at the times appointed therefor, all the estate, lands, tenements, hereditaments, revenues and properties whatsoever, either real or personal, of the said

City property made security for the payment of the interest.

Mayor, Aldermen and Commonalty whatsoever and wheresoever, shall be and they and every of them are hereby declared to be bound and answerable for the payment of the same.

Report to be made upon or before the third Monday in January in each year.

Particulars of Report.

XII. And be it enacted, That it shall be the duty of the said Mayor, Aldermen and Commonalty of the City of Saint John, to cause a Report to be made on or before the third Monday in January in each and every year, of the then state and condition of the said Water Works, which said Report shall contain an exact and particular statement of the Notes or Debentures given under the provisions of this Act, and the sums of money received on account thereof, and the names of the parties to whom such Notes or Debentures were given during the year ending the thirty first day of December then last past, and also a particular detailed statement of all sums of money received up to the said thirty first day of December in respect of the said Water Works, either for the sale of Water, or the privilege of using the said Water or the Pipes and Machinery, or otherwise howsoever, and the names of the parties from whom the same shall have been received, and also a statement of any sum or sums of money due, owing or payable for or in respect of the same, and the names of the parties by whom the same may be so due, owing or payable, and also a particular statement of the interest monies computed up to the said thirty first day of December, upon all the Debentures or Notes issued or sums of money borrowed under the provisions of this Act; and the said Report shall also specify what particular works have been done during the said year, and generally shall exhibit a full and complete account of all the affairs and business connected with the said Water Works; which Report shall be signed by the person superintending or in charge of the same, and attested to by him on oath before any Justice of the Peace in and for the City and County of Saint John and submitted to the Common Council of the said City.

If it appear by the Report that the receipts are not equal to the amount of interest payable on the Debentures, an assessment may be made for deficiency.

XIII. And be it enacted, That in case it shall appear by any such yearly Report so signed, attested and submitted as aforesaid, that the amount received in respect of such Water Works, either for the sale of Water, or for the privilege of using the said Water, or the Pipes or Machinery, or otherwise howsoever, shall not be equal to the amount of interest monies payable on the Debentures or Notes issued by virtue of this Act, and the expenses of superintending the said Water Works for the period ending on the thirty first day of December in each year, that then and in such case and so often as the same shall appear by any such annual Report, it shall and may be lawful for the said Mayor, Aldermen and Commonalty of the City of Saint John, in Common Council convened, at any time within thirty days after the said Report shall have been submitted to them, to determine, direct and order that the amount of the deficiency of funds for the payment of such interest money, together with the expenses of assessing, levying and collecting the same, shall be assessed and levied on the inhabitants on the eastern side of the Harbour of the said City, or in any district or districts thereof to be particularly described and set forth, and to direct, by warrant under their common seal, the assessors hereinafter mentioned to make a rate or assessment in due proportion upon all and every person or persons who do or shall inhabit, hold, occupy and enjoy any house, shop, warehouse or other tenement on the eastern side of the harbour aforesaid, or any district or districts thereof as above mentioned, and the said assessors are hereby required and authorized forthwith to make such rate and assessment; which same rate and assessment so to be made shall be levied and collected in the same manner as Parish or County Rates are or may be levied and collected, by virtue of any Act of Assembly in force within the said City and County at the time the same may be ordered to be levied and collected.

XIV.

XIV. And be it enacted, That it shall and may be lawful for the said Mayor, Aldermen and Commonalty of the said City, in Common Council convened, from time to time and as often as may be necessary and requisite under the provisions of this Act, to nominate and appoint three discreet persons, being freemen and freeholders of the said City, to act as assessors under this Act, who shall be sworn to the faithful discharge of such duty before the Mayor, Recorder, or either of the Aldermen of the said City; and any person so appointed who shall neglect or refuse to accept the said appointment or to become qualified to perform the duties thereof, or having become so qualified, shall neglect or refuse to perform his duty, shall for each and every neglect or refusal forfeit and pay the sum of ten pounds, to be recovered on conviction before any Justice of the Peace in and for the said City and County, and levied with costs of prosecution by distress and sale of the goods and chattels of such offender, by warrant under the hand and seal of such Justice, and paid into the hands of the Superintendent of the said Water Works, to be applied for such uses and in such manner as the rates and assessments collected under this Act, and for no other use whatsoever; and the said Mayor, Aldermen and Commonalty of the City in Common Council convened, shall and may appoint some other person or persons being Freemen and Freeholders of the said City, in the place or places of any person or persons so refusing or neglecting, and so often as such case shall happen, which person or persons so to be appointed in the place or places of such person or persons so neglecting or refusing, shall be liable to the like penalties for neglect or refusal as the said persons first appointed, to be in like manner recovered, paid and applied, and so as often as the case may happen.

City Corporation to appoint three persons to act as assessors under this Act.

Penalty for neglect or refusal to accept the appointment.

Vacancies to be supplied as often as they may happen.

XV. And be it enacted, That none of the property, either real or personal or otherwise, of the said Mayor, Aldermen and Commonalty of the said City of Saint John shall be liable and answerable for any of the debts, contracts or obligations of the said Saint John Water Company, except only the sum of five thousand pounds hereinbefore mentioned, loaned out of the Province Treasury as aforesaid.

None of the City property to be liable for debts of the Water Company except the Treasury loan.

XVI. And be it enacted, That if any person shall wilfully and maliciously break, damage, thrown down, destroy or injure any of the Pipes, Machinery, Fire Plugs, Apparatus, or any of the works already placed, erected, or established by the said Saint John Water Company, or which may be so placed, erected or established by the said Company, prior to the transfer of the interest and estates of the said Company to the said Mayor, Aldermen and Commonalty, or which may hereafter be placed, erected and established, and made under the provisions of this Act, or otherwise howsoever, by the said Mayor, Aldermen and Commonalty, for the purpose of supplying the said City and its vicinity with water, any such person shall be judged guilty of Felony, and every such person so offending and being thereof lawfully convicted, shall be liable to the punishment prescribed for Felony in an Act made and passed in the first year of the Reign of His late Majesty King William the Fourth, intituled "An Act for improving the administration of Justice in criminal cases."

Maliciously breaking or injuring any of the Pipes, &c. made felony.

XVII. And be it enacted, That this Act shall not go into operation nor take effect, until the same shall be accepted and consented to by the said Mayor, Aldermen and Commonalty of the City of Saint John, by a Resolution entered in the minutes of the proceedings of the Common Council within two months after the passing of the same, and also by the said Saint John Water Company, such acceptance and consent of the said Company to be signified by a Resolution entered on their Book of Minutes, and passed at some General Meeting of the Stockholders thereof, to be held within three months after the passing of this Act;

Act not to go into operation until accepted and consented to by the City Corporation and the Water Company, to be signified by Resolutions entered on their Book of Minutes.

at

at which Meeting all questions touching this Act, and all proceedings under the same may be decided by a majority of the votes of all the Stockholders then present, or represented by proxy, and the number of votes shall be in the proportion and according to the scale already established and provided by the Act of Assembly incorporating the said Water Company.

CAP. LXXIII.

An Act to incorporate the Saint John Orphan Benevolent Society.

Passed 31st March 1840.

The Saint John Orphan Benevolent Society incorporated.

I. **BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That Lewis Burns, Francis Collins, John Dougherty, James Gallagher, Henry Chubb, John Humbert, Henry Porter, Thomas Harding, Hugh Sharkie, Michael M'Donnell, John W. Scott, Richard Nowlan and their Successors, be and they are hereby erected into a body Corporate for the purpose of relieving, protecting, educating and binding out as Apprentices all such indigent Orphan Children as are already or which hereafter shall be received as fit and proper objects for relief and protection, and for no other purpose, by the name of *The Saint John Orphan Benevolent Society*, and shall have all the general powers and privileges incident to Corporations by Act of the General Assembly of this Province: Provided always, That the real estate which said Corporation may at any time hold, shall not exceed five thousand pounds.

Real Estate limited to £5000.

Corporation to have the like powers to bind out Orphan Children as the Overseers of the Poor have under 26 G. 3, c. 43, s. 2.

II. And be it enacted, That the said Corporation shall have in all respects the like power and authority, by and with the consent of two or more Justices of the Peace, to bind out any such Orphan Children as the Overseers of the Poor now have, under and by virtue of the second section of an Act made and passed in the twenty sixth year of the Reign of His Majesty King George the Third, intituled "An Act to regulate and provide for the support of the Poor in this Province."

CAP. LXXIV.

An Act to continue several Acts for the establishment and regulation of Boards of Health in the several Counties of this Province.

Passed 31st March 1840.

3 W. 4, c. 28.

5 W. 4, c. 47, continued.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the third year of the Reign of His late Majesty King William the Fourth, intituled, "An Act for the establishment and regulation of Boards of Health in the several Counties of this Province," and also an Act made and passed in the fifth year of the same Reign, intituled "An Act to continue and amend the Act for the establishment and regulation of Boards of Health in the several Counties of this Province," be and the same are hereby respectively continued and declared to be in force until the first day of April which will be in the year of our Lord one thousand eight hundred and forty two.

CAP. LXXV.

An Act to repeal certain Sections of an Act, intituled "An Act for the more effectual prevention of Fires in the City of Saint John." 3 Victoria, c. 1.

Passed 31st March 1840.

WHEREAS the sixth and seventh Sections of an Act made and passed in the present year of Her Majesty's Reign, intituled "An Act for the more effectual prevention of Fires in the City of Saint John," from their retrospective nature are considered in their operation to be greatly injurious to many of Her Majesty's liege subjects, who have erected buildings prior to the passing of the said Act, and the necessity for reducing those buildings is not deemed to be of that importance to prevent the spreading of the ravages by Fire which at the time of passing the said Act may have been supposed;

Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That the sixth and seventh Sections of the said recited Act, be and the same are hereby repealed. 3 Victoria, c. 1, s. 6 & 7, repealed.

CAP. LXXVI.

An Act to provide for a regular supply of Seamen for new Ships fitted out or loaded in this Province.

Passed 31st March 1840.

WHEREAS the great scarcity of Seamen in this Province, and the number of new Ships built, fitted out and loaded therein, renders it expedient that provision should be made to compel a portion of the Crews of such Vessels to be brought from the United Kingdom;

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and after the first day of September next, it shall be the duty of every owner resident in this Province, or the agent of any owner not resident therein, of any new Ship or Vessel built within the same, or of any Ship or Vessel built without but brought into this Province for the purpose of loading or fitting for sea, to provide a certain number of the Crew necessary for such Ship or Vessel by procuring them from the United Kingdom of Great Britain and Ireland in the following proportions, that is to say: For every Vessel of the burthen of three hundred tons register, four men; and for every one hundred tons more the said Vessel may register, one man; said men to be able bodied Seamen, and shall be in addition to and over and above the Crew of such Vessel or Vessels in which the said Seamen shall be brought: Provided always, That if such owner or agent shall deem it expedient to procure as aforesaid a Master, Mate, second Mate or Carpenter for any such Ship or Vessel, such Master, Mate, second Mate and Carpenter, or either of them, shall be deemed and taken as an addition to the number of men required to be procured by the preceding part of this Section.

II. And be it further enacted, That the owner or owners resident in this Province, or the agent of the owner or owners not resident therein, of any new Ship or Vessel built within the same, or of any Ship or Vessel built in any of the Sister Provinces, but brought into this Province for the purpose of loading or fitting for sea, or some or one of them, shall make a report in writing, previous to the clearing at the Custom House of such Vessel for sea, upon oath before the Treasurer of the Province or the Deputy Treasurer of the District where such Vessel shall be fitted up, loaded or cleared out for sea, specifying the name of such new Vessel, the place where such new Vessel was built and the tonnage thereof, and

Treasurer to grant a certificate of the Report being made to be filed at the Custom House previous to clearing.

the number and names of the Seamen brought into the Province for the purpose of forming the Crew or a part of the Crew of the said Vessel, and that they were actually procured as aforesaid for such Vessel over and above the customary Crew of the Vessel in which such additional Seamen have been brought; and upon making such report the said Treasurer or Deputy Treasurer shall grant to the party or parties making such report a certificate of such report having been made, which certificate when so granted shall be filed by the party or parties, or by his or their agent, to whom the same shall be so granted at the Custom House from which such Vessel shall be cleared for sea, prior to the said Ship being cleared, and the Collector or Sub-Collector or Officer of the Customs of the Port or place at which such certificate shall be filed or ordered to be filed, is hereby required to receive and file the same under the penalty of one hundred pounds for each and every refusal to file such certificate.

Penalty for not procuring the Seamen or making the Report as required by this Act.

III. And be it further enacted, That if any owner resident within this Province, or the agent of any owner not resident therein, of any new Ship or Vessel built within the Province, or of any Ship or Vessel built in any of the Sister Provinces but brought into this Province for the purpose of fitting the said Vessel for sea or loading, shall neglect to comply with the provisions of this Act by not procuring the number of Seamen, or not making or causing to be made the necessary report as aforesaid, and by the provisions of this Act required, the said owner or owners, or the agent of such owner or owners as aforesaid, shall forfeit and pay the sum of ten pounds for each and every Seaman he shall fail in bringing from the United Kingdom for the purpose of forming any part of the Crew of such Vessel, and the like penalty for each and every neglect or failure to file the certificates.

Recovery and application of penalties.

IV. And be it enacted, That the several penalties and forfeitures hereinbefore mentioned, may be prosecuted, sued for and recovered in the Supreme Court or in any of the Inferior Courts of Common Pleas in this Province by action of debt, bill, plaint or information by any one who shall prosecute for the same, and when recovered shall be paid one moiety to the person so suing and prosecuting, and the other moiety into the Treasury of the Province for the use and support of sick and disabled Seamen within the Province: Provided always, That in case any owner or agent as aforesaid shall make it appear at the trial of any action for any such penalty that the number of Seamen required under the provisions of this Act have been actually engaged and shipped on board of some one or more Vessel or Vessels from the United Kingdom, but who, by reason of death, capture, shipwreck or other unavoidable casualties shall not have arrived within this Province, then and in such case the said owner or agent shall not be liable to such penalty.

Proviso for casualties.

No head money to be demanded for Seamen under this Act.

V. And be it further enacted, That no head money on any Seamen shall be required by the Treasurer of the Province, or any Deputy Treasurer from the Master or Commander of any Vessel in which Seamen may be brought into this Province, agreeably to the provisions of this Act, any Act to the contrary thereof notwithstanding.

Making a false report or oath deemed perjury.

VI. And be it further enacted, That every person who shall be convicted of making a false report, and taking a false oath to any of the matters hereinbefore required, shall be deemed guilty of perjury and subject to all the pains and penalties inflicted upon persons guilty of the same.

Seamen procured under this Act and persons harbouring them to be subject to all the laws for the regulation of Seamen.

VII. And be it further enacted, That the several Seamen so procured under the provisions of this Act, and also any person or persons harbouring or concealing any such Seamen without a certificate of discharge from the person so bringing him or them into this Province as well as the Owner or Agent as aforesaid, shall

be

be subject to all the provisions, forfeitures and penalties of all the laws which may be in force for the regulation of Seamen in this Province, notwithstanding the said Ship or Vessel for which such Seaman or Seamen may be imported, shall not be actually ready to proceed upon any voyage.

VIII. And be it further enacted, That this Act shall continue in force until the first day of April, which will be in the year of our Lord one thousand eight hundred and forty five. Limitation.

CAP. LXXVII.

An Act to provide for the more effectual prevention of Trespasses and protection of Timber growing on the Crown Lands within this Province.

Passed 31st March 1840.

I. **B**E it enacted by the Lieutenant Governor, Legislative Council and Assembly, That no person or persons shall cut, fell, haul, remove or destroy any white, yellow or red Pine, Spruce, Hemlock, Hachmatack, Beech, Birch Trees, Timber or Wood of any other description, standing or being on any part of the ungranted Crown Lands within this Province, without Licence first had and obtained from His Excellency the Lieutenant Governor or Commander in Chief of the Province for the time being or without right derived from the Crown so to do, under the penalty of not less than two pounds nor more than twenty pounds for each and every offence.

No Timber of any description to be cut or hauled from ungranted Crown Lands without Licence.

II. And be it further enacted, That all Timber, Logs, Trees or any description of Wood which shall or may be cut on or hauled from any part of the ungranted Crown Lands within this Province, without such Licence or right as aforesaid, and also all Deals, Plank, Boards or Scantling, Shingles, Clapboards, Staves or Lathwood which shall or may be made therefrom, or from Timber, Logs, Trees or any description of Wood on or hauled from any part of such Crown Lands, without such Licence or right as aforesaid, shall be and the same are hereby declared to be forfeited to the use of Her Majesty, Her Heirs and Successors, and shall be subject to seizure, prosecution and condemnation in manner hereinafter mentioned.

All descriptions of wood cut or hauled without licence, and all deals, &c. made therefrom to be forfeited.

III. And be it further enacted, That all such Timber, Logs or any other description of Wood which shall be cut on or hauled from any part of the ungranted Crown Lands within this Province, contrary to the provisions of this Act, and all Deals, Plank, Boards, Scantling, Clapboards, Staves or Lathwood which shall or may be made therefrom, or from any Timber or Logs found on any of such ungranted Crown Lands as aforesaid, contrary to the provisions of this Act, shall and may be seized, arrested and prosecuted by such person or persons as shall or may, from time to time, by warrant under the hand and seal of His Excellency the Lieutenant Governor or Commander in Chief of the Province for the time being, be appointed to seize the same.

All such Timber, &c. may be seized and prosecuted by persons appointed by Warrant of the Lieutenant Governor.

IV. And be it further enacted, That in all cases when any Timber or Logs, or Deals, Plank, Boards, Scantling, Shingles, Clapboards, Staves, Lathwood or any other description of Wood, shall be arrested, seized or taken, as liable to such seizure, forfeiture and condemnation under the provisions of this Act, the same shall in all cases be deemed and taken by the Court in which the same shall be prosecuted, to be forfeited as hereinbefore mentioned, unless it shall be made to appear to the satisfaction of such Court by some person owning or claiming the same, either that the same, if Timber, Logs or Wood of any other description

In all cases of seizure the Timber, &c. to be deemed forfeited unless it be made to appear that it was cut from granted lands or under Licence.

was

was cut on or hauled from granted lands within this Province, or by and under a Licence or right as aforesaid to cut the same, or if Deals, Plank, Boards, Scantling, Shingles, Clapboards, Staves or Lathwood, that the same was made of Timber or Logs which were cut either on such granted lands or by and under a Licence or right to cut and haul the same as aforesaid.

All Timber, &c. seized to be deemed condemned, unless within 14 days notice of a claim be given to the seizing Officer.

V. And be it further enacted, That all Timber or Logs, Deals, Plank, Boards, Scantling, Shingles, Clapboards, Staves, Lathwood or any other description of Wood which shall be arrested or seized as liable to forfeiture under this Act shall and may be deemed and taken to be condemned, unless the owner or owners thereof or some person duly authorized by him or them shall within fourteen days after the day of seizing the same, give notice to the seizing Officer that he claims the same; which notice shall be in writing specifying and particularizing to what the said claim applies, and delivered to the Officer or person by whom such seizure shall have been made; and the same being so deemed and taken to be condemned shall and may be forthwith sold at Public Auction by the said Officer or person who shall have made such seizure after ten days notice of sale being given.

To be sold at public auction after ten days notice.

Assaulting, &c. a seizing Officer in the discharge of his duty, or cutting loose any Timber, &c. seized.

VI. And be it further enacted, That if any person shall by force or violence assault, resist, oppose, molest, hinder or obstruct any seizing Officer appointed under and by virtue of this Act, whilst in the exercise and discharge of his duty as such seizing Officer or any other person employed to aid and assist him in the exercise and discharge thereof, or who shall wilfully remove or cut loose any Timber, Logs, Trees or any description of Wood which may have been seized by such seizing Officer, such person shall on conviction thereof before any Court of Record in this Province, pay a fine not exceeding one hundred pounds nor less than forty shillings at the discretion of the Court before which such offenders shall be tried, which fines shall be paid to Her Majesty, Her Heirs and Successors for the use of the Province, and in case such fine be not paid, such person shall be imprisoned not exceeding twelve months nor less than ten days at the discretion of the Court.

Penalty.

Application.

Fines, penalties and forfeitures to be recovered and prosecuted in any Court of Record.

VII. And be it further enacted, That all fines, penalties and forfeitures incurred or to be incurred under the provisions of this Act, may be recovered and prosecuted to condemnation by action of debt, bill, plaint or information in any of Her Majesty's Courts of Record in this Province, in the name of Her Majesty's Attorney General or Solicitor General, and in every action or suit, the person against whom judgment shall be given for any fine, penalty or forfeiture under this Act, shall pay costs of suit; and every such action or suit shall and may be brought within one year after the offence committed and not afterwards: Provided always, That nothing in this section shall affect the case of any proceedings against Timber or Logs, Deals, Plank, Boards, Scantling, Shingles, Clapboards, Staves, Lathwood or any other description of Wood, not exceeding the value of one hundred pounds, before two Justices of the Peace, agreeably to the provisions of the following section of this Act.

Suit to be commenced within one year. Proviso.

Timber, &c. seized and claimed, not exceeding in value £100 may be prosecuted before two Justices of the Peace.

VIII. And be it further enacted, That all white, yellow or red Pine, Spruce, Hemlock, Hackmatack, Beech, Birch, Trees, Timber or Wood of any other description, seized as forfeited by virtue of this Act, and claimed by any person or persons in manner hereinbefore directed, provided the value thereof does not exceed one hundred pounds, may be prosecuted to condemnation in the name of the Surveyor General or the seizing Officer who shall have seized the same, or by information of Her Majesty's Attorney General or Solicitor General, before any two of Her Majesty's Justices of the Peace residing near the place where such seizure

seizure shall have been made, who are hereby required and directed to keep a book of Record, in which they shall fairly enter all causes tried before them under this Act, together with the evidence taken before them upon such trial.

IX. And be it further enacted, That in case of the arrest, seizure and prosecution of any Timber or Logs, Deals, Plank, Boards, Scantling, Shingles, Clapboards, Staves, Lathwood or any other description of Wood under this Act, if judgment of condemnation shall not pass, and the Court in which such prosecution shall be instituted shall certify that there was probable cause of seizure, such certificate shall be taken and received as a good and sufficient defence against any action to be prosecuted by any person or persons in any Court within this Province, against the Officer who made such seizure, and any Officer so prosecuted, shall in all cases be at liberty to plead the general issue, and give any special matter in evidence, the same as if such matter had been specially pleaded and set forth.

Certificate of Court of probable cause of seizure to be a bar to actions against the seizing Officer.

X. And be it further enacted, That this Act shall continue and be in force until the first day of April, which will be in the year of our Lord one thousand eight hundred and fifty.

Limitation.

CAP. LXXVIII.

An Act to amend an Act intituled "An Act to provide for the purchase of a place for the residence and accommodation of the Governor or Commander in Chief of this Province."

56 G. 3, c. 7.

Passed 31st March 1840.

‘**W**HEREAS great inconvenience has arisen heretofore under the operation of the fifth Section of the Act to which this is an amendment ;’

Preamble.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That the fifth Section of an Act made and passed in the fifty sixth year of the Reign of His Majesty King George the Third, intituled "An Act to provide for the purchase of a place for the residence and accommodation of the Governor or Commander in Chief of this Province," be and the same is hereby repealed ; and in lieu thereof,

56 G. 3, c. 7, s. 5, repealed.

II. Be it enacted, That His Excellency the Lieutenant Governor or Commander in Chief for the time being, be and he is hereby authorised and empowered to appoint three or more Commissioners in each and every year to have the care and management of Government House, and the premises therewith connected, and to have the superintendence and control of any reparations and improvements to be from time to time made, under and by the authority of the General Assembly of this Province.

Three or more Commissioners to be appointed to have the care and management of Government House, and to superintend repairs and improvements.

CAP. LXXIX.

An Act to authorize the Justices of the Peace in and for the City and County of Saint John to make compensation to the Assessors of Taxes for the Parish of Portland for the year one thousand eight hundred and thirty nine.

Passed 31st March 1840.

‘**W**HEREAS by the fourth section of an Act made and passed in the first year of the Reign of Our Sovereign Lady the Queen, intituled "An Act to provide for the better Assessment of County and Parish Rates," it is among other things provided, that the Assessors of Rates for the several Towns and Parishes shall within sixty days after receiving the Warrant of Assessment, deliver

Preamble.

‘ deliver to the Collectors of Rates within their respective Towns and Parishes
 ‘ a list containing the names of all the parties rated within their several Districts,
 ‘ with the several amounts to be collected from every such person ; and by the
 ‘ fifth section of an Act made and passed in the seventh year of the Reign of His
 ‘ late Majesty, intituled “ An Act to provide for the collection of County and
 ‘ Parish Rates,” it is provided that no Assessors shall be allowed a per centage
 ‘ unless the provisions of the said Act shall have been fully complied with : And
 ‘ whereas during the past year the labours to be performed by the Assessors of
 ‘ Taxes in the Parish of Portland, in consequence of the division of the said Pa-
 ‘ rish, were so great as to prevent a strict compliance with the requisites of the
 ‘ said Act, and the Assessors have thereby become deprived of any legal right to
 ‘ remuneration for the arduous duties performed by them ; for remedy whereof,’

Justices in Ses-
 sions authorized to
 compensate the
 assessors of taxes
 in Portland for the
 year 1839.

Be it enacted by the Lieutenant Governor, Legislative Council and Assembly,
 That it shall and may be lawful to and for the Justices of the Peace in and for the
 City and County of Saint John, in General Sessions assembled, to make an order
 for the payment of due compensation to the Assessors of Taxes in the said Pa-
 rish of Portland for the past year out of the monies levied, raised and collected
 for that purpose, in the same manner as if the said Assessors had in every respect
 strictly complied with the provisions of the said Acts ; Provided that no greater
 rate per cent. on the amount ordered to be assessed shall be allowed them than
 is provided for in the said Acts.

CAP. LXXX.

An Act for the better extinguishing of Fires which may happen in the City of Saint John, and
 to continue a certain Act relating to the same matter therein mentioned.

Passed 31st March 1840.

Corporation au-
 thorized to estab-
 lish a Fire Depart-
 ment.

I. **BE** it enacted by the Lieutenant Governor, Legislative Council and Assem-
 bly, That it shall and may be lawful to and for the Mayor, Aldermen and
 Commonalty of the City of Saint John, in Common Council convened, by ordi-
 nance or otherwise, to establish a Fire Department in and for the said City, which
 said Fire Department shall consist of one Chief Engineer, and as many other En-
 gineers, Enginemen, Firemen, Hosemen, Axemen, and Hook and Ladder men
 as shall and may from time to time be elected, nominated and appointed by the
 said Mayor, Aldermen and Commonalty, in Common Council convened ; which
 persons so to be elected, nominated and appointed as aforesaid, are hereby re-
 quired and enjoined always to be ready at a call by night as well as by day, to
 perform their several and respective duties, in the extinguishing of Fires that may
 happen or break out in the said City: Provided however, that the number of En-
 gineers so to be elected, nominated and appointed, shall not exceed ten for each
 and every Fire Engine, and belonging to the said City, and that the number of
 Firemen, Hosemen, Axemen, and Hook and Ladder men, shall not in the whole
 exceed four hundred men ; and provided further, that not more than ten Engi-
 neers and fifty Firemen shall be attached to each Engine.

Members of the
 Department to be
 ready by day and
 by night to per-
 form their duties.

Number of Mem-
 bers limited.

Corporation may
 organize a Com-
 pany of hosemen,
 axemen and hook
 and ladder men.

Members of the
 Department may
 be displaced and

II. And be it enacted, That the said Mayor, Aldermen and Commonalty, in
 Common Council convened, shall and may, if to them or the major part of them
 it shall seem meet, establish and organize one company of Hosemen, and also
 one company of Axemen, and also one company of Hook and Ladder men.

III. And be it enacted, That the said Mayor, Aldermen and Commonalty, in
 Common Council convened, are hereby authorized and empowered to remove and
 displace

displace all or any of the members of the said Fire Department so to be elected, nominated and appointed as aforesaid, when and as often as they shall think fit, and others in the room and places of such as they shall remove or displace, to elect, nominate and appoint, and put in, and so from time to time as they, the said Mayor, Aldermen and Commonalty aforesaid, in Common Council convened, shall see convenient.

IV. And be it enacted, That the persons so to be elected, nominated or appointed chief Engineer, Engineers and Enginemen, and the persons named and appointed by the said Mayor, Aldermen and Commonalty, in Common Council convened, Captain or head of the respective companies of Hosemen, Axemen, and Hook and Ladder men, and each and every of them, from time to time during the continuance of being in either of the same offices of chief Engineer, Engineer, and Enginemen, and Captain or head of the respective companies of Hosemen, Axemen, and Hook and Ladder men, and no longer, shall be and are hereby declared to be freed, exempted and privileged from the several offices of Constable and Surveyor of the Highways, and from being compellable to serve in the Militia except in case of invasion or other imminent danger, and from serving upon any Jury in the Court of Quarter Sessions, or in the Inferior Court of Common Pleas, or in the Courts of Nisi Prius and Oyer and Terminer, to be holden in and for the City and County of Saint John, or in the City Court of the said City of Saint John, and also shall be exempted and free from all Statute Labour on the Highways and Streets in the said City; and that the other members of the said Fire Department so to be elected, nominated and appointed as aforesaid, and each and every them, from time to time during the continuance as a member of the said Fire Department and no longer, shall be and are hereby declared to be freed, exempted and privileged from the several offices of Constable and Surveyor of Highways, and from being compellable to serve in the Militia, except in case of invasion or other imminent danger, and also shall be exempt and free from all Statute Labour on the Highways and Streets within the said City; and the names of such persons elected, nominated and appointed members of the said Fire Department, by virtue hereof, from time to time shall be registered and entered with the Clerk of the Peace for the said City; and if at any time, while this Act is in operation, any such person, being a member of the said Fire Department, shall be chosen, elected and appointed into any office or situation, or be required to perform any duties from which he, by virtue of this Act, is freed and exempted, that then such person producing his warrant of appointment and a certificate under the hand of the chief Engineer, or under the hands of two of the Engineers of his (at such time) being a member of and serving in the said Fire Department, and of the office or situation which he holds therein, to the person or persons by whom he shall be so elected or appointed, or by or before whom he shall be summoned, returned or required to serve, execute or hold any of the said offices or duties, shall be absolutely discharged from the same; and such election, nomination, return and appointment shall be utterly void and of none effect, unless such person shall voluntarily consent and agree to hold such office or perform such duties, from which he is hereby exempted, any order, custom, law or practice to the contrary hereof in anywise notwithstanding.

V. And be it enacted, That every person who shall have served, between the age of twenty one years and fifty years, a member of the said Fire Department for the continued space of fourteen years in succession, and every engineman who before the passing of this Act may have faithfully served as such for an uninterrupted period of not less than fourteen years, shall be relieved by a resolution of said

others appointed at the discretion of the Corporation.

Heads of the Department exempted from the offices of Constable and Surveyor of Highways, service in the Militia and on Juries, and from Statute Labour.

Other members exempted from the offices of Constable and Surveyor of Highways, service in the Militia and from Statute Labour.

Names of Members to be registered with the Clerk of the Peace.

Warrants of appointment to be evidence of exemption.

Fourteen years service to entitle to exemption and privileges.

said Mayor, Aldermen and Commonalty in Common Council convened, in which resolution not less than two thirds of the members present shall agree, from further service in such Department, or as an engineman; such person so relieved shall have, use and enjoy the same privileges and exemptions in every respect, as are allowed to the officers of such Fire Department and enginemen, by this Act.

City Corporation
authorized to make
rules with penal-
ties.

VI. And be it enacted, That it shall and may be lawful to and for the said Mayor, Aldermen and Commonalty of the City of Saint John in Common Council convened, from time to time to make, establish and ordain such rules, orders, ordinances and regulations in respect to the government, conduct, duty and behaviour of the several members of the said Fire Department, and to the working, managing and frequent exercising, trying and using the Fire Engines of the said City, and the tools and other instruments and implements for the extinguishing of Fires which may happen or break out in the said City, and to impose and establish such reasonable fines, penalties and forfeitures upon them or any of them, for default or neglect of the duties, business and services thereby to be enjoined or required of or from them, as may from time to time be thought meet and convenient, not exceeding for any one offence the sum of ten pounds.

Sheriff and other
Officers to repair
to fires and use
their authority.

VII. And be it enacted, That upon the breaking out of Fire within the City of Saint John aforesaid, the Sheriff and all under and Deputy Sheriffs, the high Constable, and all petty Constables and Marshals, upon notice thereof, shall immediately repair to the place where the fire shall happen, with their rods, staves and other badges of their authority, and shall be aiding and assisting, as well in extinguishing the said fires and causing the people to work, as also in preventing goods from being stolen, and shall seize and apprehend all ill disposed persons that may be found stealing or pilfering thereabouts, and all other suspicious, idle or disorderly persons, and that the said officers shall give their utmost assistance to help the inhabitants to remove and secure their goods.

Corporation au-
thorized to organ-
ize a Fire Police.

VIII. And be it enacted, That it shall and may be lawful for the Mayor, Aldermen and Commonalty of the City of Saint John, in Common Council convened, by ordinance or otherwise, to establish and organize a Fire Police in and for the said City, which said Fire Police shall consist of such and so many persons, being Freemen and Freeholders of the said City, as the said Common Council shall from time to time appoint, and to remove and reappoint as may be by them deemed expedient; who shall be sworn to the faithful discharge of their duty as any other officer of the said Corporation is sworn.

Members to be
sworn.

Company to be
organized in the
manner and under
regulations made
by an ordinance of
the City.

IX. And be it enacted, That the said Common Council shall organize the said Company in such manner and under such regulations as by any ordinance of the said City they from time to time may ordain and direct, and shall have power to enforce such regulations, either by removing any person so appointed, or by fine, or both, as the said Common Council, in and by the said ordinance may establish; provided that no fine on any person belonging to such Fire Police shall exceed for any one offence the sum of ten pounds.

Fire Police to re-
pair to fires, and
protect property,
&c.

X. And be it enacted, That whenever a fire shall break out within the said City, the said Fire Police shall immediately repair to the place where the fire may be, and protect all property which may be removing or removed to preserve the same from the flames, and for that purpose shall and may have full power to enter any house which may be on fire, or in immediate danger, or any lands or premises connected therewith, and prevent all depredation thereon, and arrest and remove or carry to the watch house or the common gaol any person who may be found committing or attempting to commit any felony or any breach of the peace, or any idle and disorderly person, or any person who shall intermeddle with any such

such property, or after notice shall refuse, when required, to assist either in carrying water, or obeying any other command of such Police for the purpose of suppressing the said fire or preserving any property.

XI. And be it enacted, That from and immediately after the breaking out of any fire in the said City, any one or more of the said Police, taking with him or them any one Justice of the Peace for the City and County of Saint John, may enter any dwelling house, store, out house, or erection of any kind, or any yard or land, and search the same for goods, chattels or articles of any description, stolen or suspected to have been stolen at or during the continuance of the said fire, or missing in consequence of such fire; and any goods, chattels or articles found therein, under the circumstances aforesaid, shall and may have full power and authority to convey or cause to be conveyed to some safe place of deposit, or leave the same with the said Justice to be dealt with according to law.

After fires, Police empowered to search for stolen goods.

XII. And be it enacted, That whenever it shall appear that any person has had in his possession any goods, chattels or articles of any description whatever, which may have been stolen, missing, lost, or taken away at any fire, or after any fire, and before the same has been restored to the owner, for the space of twenty four hours after the said fire shall cease, without notice to the owner thereof, or to some one of Her Majesty's Justices of the Peace, or of the said Police, such possession, without such notice, shall be deemed and adjudged *prima facie* evidence that such person has been guilty of larceny, and on conviction thereof shall suffer like punishment as in a case of larceny.

Having in possession goods taken away at a fire to be *prima facie* evidence of larceny.

XIII. And be it enacted, That an Act made and passed in the fifty ninth year of the Reign of George the Third, intituled "An Act in addition to and amendment of an Act, intituled, 'An Act to revive and make perpetual an Act authorizing the Mayor, Aldermen and Commonalty of the City of Saint John to make regulations for the more effectual prevention of Fires within the said City,' " together with this Act, shall continue and be in force until the first day of April which will be in the year of our Lord one thousand eight hundred and fifty.

59 G. 3, c. 5, continued.

Limitation.

CAP. LXXXI.

An Act to limit the extent and regulate the building of Wharves on the eastern side of the Harbour of Saint John.

Passed 31st March 1840.

WHEREAS certain Commissioners were, by His Excellency the Lieutenant Governor, appointed to enquire into and report upon the state of the Harbour of Saint John, and have, in pursuance of such appointment, made a Report touching part of the said Harbour, and have caused a certain Plan of part of the said Harbour to be prepared; and the Mayor, Aldermen and Commonalty of the said City have, by Petition to the Legislature, applied for an Act to define and fix a permanent line in part of the said Harbour, to which the extension of Wharves shall be limited;

Preamble.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and after the passing of this Act no Wharf, Pier or erection of any kind or description whatsoever shall be built, erected or extended westwardly into the said Harbour of Saint John, on the eastern side thereof, beyond a line to be formed as follows, viz: commencing at the point formed by the westwardly prolongation of the southern line of the Wharf owned by Robert W. Crookshank, and a southerly continuation of the western line of the Pier at the

No wharves or Piers to be erected on the eastern side of the harbour extending beyond a described line.

end of the southern Wharf of the north slip, which said point is seventy feet distant from the southwest corner of the said Robert W. Crookshanks' present Wharf, thence from said point in a direct line to the southwest corner of the Wharf now or lately the property of David Hatfield to the southward of the South Market Wharf, thence in a direct line to the southwest corner of Nehemiah Merritt's south Wharf, thence in a direct line to a point in the western prolongation of the south line of the Wharf of the late Richard Bonsal, distant sixty feet from the western end of the said Wharf, and thence in a direct line to a westwardly prolongation of the north line of Saint James Street, at the distance of one hundred and eighty five feet from the western side line of Prince William Street, measured on the north line of Saint James Street as marked on the said plan; and that the said plan so prepared by the said Commissioners shall be signed by them and filed in the office of the Secretary of the Province.

How wharves to be constructed and occupied.

II. And be it enacted, That all Wharves to be erected within or on the eastern side of the said line, shall be of squared Timber and close built, so as to prevent stone, rubbish or gravel from falling into the Harbour, and no ballast shall be allowed to be used in the building thereof but stone, and the tops of such Wharves to be planked or timbered in the same manner as the North and South Market Wharves; and such Wharves to the extent of forty feet from the fronts thereof respectively, to be for ever kept free and open for vessels to repair to, and load and discharge thereat, and no Houses or Stores shall at any time be erected on the said spaces, and no Lumber or Goods of any sort be permitted to remain on such spaces longer than twenty four hours.

No wharf to be built on the harbour front between Duke and Saint James Streets unless land be conveyed for the continuation of Saint John or Water Street.

III. 'Whereas the property fronting on that part of the Harbour of the City of Saint John, situate between Duke and Saint James Streets, would be greatly benefitted, and the Harbour made more commodious for loading and discharging goods, if a Street in continuation of Saint John or Water Street were to be laid out thereon;' Be it enacted, That it shall not be lawful for the owners of such property to build or authorize to be built any Wharf, Pier or other erection, on the beach or flats between the line of low water mark and the line for limiting the extension of Wharves described herein, unless such owner or owners shall have first conveyed to the Mayor, Aldermen and Commonalty of the said City, a space of not less than fifty feet in width through his or their property, ground or flats, for the sole and exclusive purpose of continuing Saint John or Water Street from Duke to Saint James Street, as aforesaid.

Two Slips for each block to be left as landing slips.

IV. And be it enacted, That no space between low water mark and the line defining the extent to which Wharves may be built, shall be leased or sold to any person or persons whomsoever, unless it shall first be stipulated that at least two Slips of not less than thirty five feet in width each, and one hundred and twenty feet or more in length, shall for ever be left open and kept as Landing Slips, with cart ways leading to the public Streets, for each block or space contained between Union and King Streets, King and Princess Streets, Princess and Duke Streets, Duke and Queen Streets, and Queen and Saint James Streets.

CAP. LXXXII.

An Act to authorize the granting of certain Tracts of Land, to the North American Colonial Association of Ireland, and to prescribe the terms and conditions thereof.

Passed 31st March 1840.

Preamble.

WHEREAS it is desirable that reasonable encouragement should be afforded to the North American Colonial Association of Ireland to introduce and settle Emigrants into this Province; I.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That it shall and may be lawful for the Lieutenant Governor or Commander in Chief for the time being, by and with the advice and consent of Her Majesty's Executive Council to sell and grant by private sale to a certain Company incorporated by an Act of the Imperial Parliament called the North American Colonial Association of Ireland, not exceeding one hundred thousand acres of the Crown Lands of this Province, being fit for agricultural improvements, for a sum not less than three shillings per acre, one third of such purchase to be paid upon the passing of the Grant, one third in three years, with interest, and the remaining one third in six years, with interest, from date of the purchase, which two last mentioned instalments shall be duly secured by bond or otherwise to the satisfaction of the Lieutenant Governor and Her Majesty's Executive Council: Provided always, That every such grant shall be subject to the right of the Crown to all Coals, and Mines, and Minerals in such lands so to be granted, and that all and every grant or grants that may be made to the said Association without containing a clause reserving such right to Her Majesty, Her Heirs and Successors shall and are hereby declared to be null and void, any thing herein contained to the contrary thereof notwithstanding.

Governor authorized to sell 100,000 acres of land to the North American Colonial Association.

Terms of payment.

Reservation of Coals, Mines and Minerals.

II. And be it enacted, That the said quantity of Land be granted in Lots not exceeding thirty nor less than five thousand acres in any one tract, and upon the following conditions:

Conditions.

Extent of each tract.

That every tract shall be surveyed under the direction of the Surveyor General of the Province, and a plan and return thereof made within twelve months after the application therefor, and that the said Association shall pay all the expenses of such survey, plans and returns;

Survey and expenses.

That three per cent. on each block or tract of land granted shall be cleared and prepared for cultivation within three years from the date of the grant thereof, and so on at the rate of three per cent. for every three years until nine per cent. of the whole block or tract be cultivated;

Improvements to be made.

That at least one in every eight lots of one hundred acres each, on each and every of the blocks of lands granted to the said Association be allotted, set apart, and occupied by *bona fide* Settlers, being emigrants and actually introduced into this Province by the said Association, within five years from the dates of the grants thereof respectively.

Settlement.

III. And be it further enacted, That in case the said Company or Association shall fail or neglect to cultivate, improve and settle upon the said blocks or tracts of lands, so to be granted as aforeaid, agreeably to the terms prescribed in the preceding Section, the said tracts or blocks of land respectively shall become forfeited, and upon inquisition found, revert to the Crown.

On failure of cultivation and settlement, land to revert to the Crown.

CAP. LXXXIII.

An Act to alter and amend an Act, intituled "An Act to authorize the widening and enlarging of certain Streets in the City of Saint John, and of laying out other Streets therein."

Passed 31st March 1840.

WHEREAS by an Act made and passed in the third year of the Reign of Her present Majesty Queen Victoria, intituled "An Act to authorize the widening and enlarging of certain Streets in the City of Saint John, and of laying out other Streets therein," it is provided, that the Commissioners appointed under the provisions of the said Act have full power to enter upon the

Preamble.

3 Victoria, c. 2.

‘ the lands and tenements in the district named in the said Act, for the purpose of
 ‘ widening, altering, straightening, enlarging and opening certain Streets, called
 ‘ Dock Street, Nelson Street, and Smyth Street, and to estimate the value of the
 ‘ lands required for widening, extending, altering, straightening, enlarging and
 ‘ opening the said Streets, and to assess and apportion three fourth parts of the
 ‘ amount of such estimated value on all the parties interested in any lands, tene-
 ‘ ments, and hereditaments within the said district, including the parties interested
 ‘ in such lands, tenements, and hereditaments required for the purpose of such
 ‘ Streets respectively, according to their best discretion, in proportion to the benefit
 ‘ accruing to such parties respectively from the improvement of the said Streets,
 ‘ and to file a plan, with the report of their doings, in the Office of the Common
 ‘ Clerk of the said City of Saint John ; And whereas by the said Act, the remain-
 ‘ ing one fourth part of the estimated value of the said land and premises should
 ‘ be paid by the inhabitants of the said City, on the eastern side of the harbour of
 ‘ Saint John ; And whereas the Commissioners appointed in pursuance of the said
 ‘ Act have entered upon the duties required of them by the said Act, and among
 ‘ other things have widened Dock Street to the extent of sixty feet ; And whereas
 ‘ the widening of the said Street to sixty feet has been found injurious, and it is
 ‘ deemed advisable to reduce the width of the said Street called Dock Street to
 ‘ fifty feet, and also to alter the mode by which the assessment of value of the
 ‘ lands required for widening, extending, altering, straightening, enlarging and
 ‘ opening the said Streets, should be made ;’

Plans, &c. filed
 under 3 Victoria,
 c. 2, declared void.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That the plans and report, and estimate of damages of the Commissioners appointed under the aforesaid in part recited Act, and filed with the Common Clerk in the City of Saint John, be and the same are hereby declared to be null and void and of no effect.

So much of 3 Vic-
 toria, c. 2, as re-
 lates to the asses-
 sing of three
 fourths of the
 value of lands, &c.
 repealed.

II. And be it enacted, That so much of the said in part recited Act as requires three fourths of the amount of the estimated value of the lands, tenements and hereditaments required for widening, extending, straightening, enlarging, opening and laying out the said Streets, to be assessed upon any of the parties interested in any of the lands, tenements and hereditaments within the said district, including the parties interested in such lands, tenements and hereditaments, required for the purpose of such Streets respectively be and the same is hereby repealed.

Commissioners to
 extend Dock
 Street to fifty feet
 in width and
 make plans, esti-
 mates and report
 as required by 3
 Victoria, c. 2, s. 3.

III. And be it enacted, That the Commissioners heretofore appointed or hereafter to be appointed, reappointed or supplied, according to the provisions of the said in part recited Act, for the purpose of widening the said Streets and estimating the damage arising therefrom, under and by virtue of the said hereinbefore in part recited Act, be and they are hereby authorized and empowered to extend Dock Street to the width of fifty feet in the whole, by adding ten feet only to the former width, from the eastern side of the said Street, and to make the like plans and estimates, as well for Dock Street as for Nelson and Smyth Streets aforesaid, as are contemplated in and by the third Section of the said Act, which said plans and estimates, with the report of the said Commissioners, when filed with the Common Clerk of the said City, shall have the like force and effect as the plan, estimate and report mentioned in the same third Section of the said Act.

How assessment
 of damages to be
 apportioned.

IV. ‘ And whereas the sum of three thousand pounds has been granted by the
 ‘ Legislature towards carrying into effect the contemplated alterations in the said
 ‘ Streets ;’ Be it therefore enacted, That the residue of the estimated damages be
 divided, apportioned, and assessed as follows : One third thereof be assessed upon
 and paid by all the parties interested in any lands, tenements and hereditaments
 within

within the district particularly described in the preamble of the said Act to which this is an amendment, including the parties interested in such lands, tenements and hereditaments required for the purpose of the said alterations; One other third part of the said residue to be assessed as directed in and by the sixth section of the said Act to which this is an amendment, and the remaining other third part to be paid by the Mayor, Aldermen and Commonalty of the said City out of the Corporate funds of the said City.

V. And be it enacted, That the time mentioned in the fifth section of the Act to which this is an amendment, for paying the respective persons and parties mentioned or referred to in the report of the Commissioners, be extended to six months after the filing of the report of said Commissioners under this Act.

Time for payment extended to six months after filing of the report.

CAP. LXXXIV.

An Act further to provide for a limited time for the support of the Civil Government of the Province.

Passed 31st March 1840.

‘ WHEREAS it is necessary from the peculiar state of public affairs, that an additional sum should be granted to the present Lieutenant Governor of the Province, over and above his salary now chargeable upon the Civil List;

Preamble.

‘ Therefore, We, Her Majesty’s dutiful and loyal subjects the Commons of New Brunswick, in General Assembly convened, have freely and voluntarily resolved to give and to grant to the Queen’s Most Excellent Majesty, the sum of five hundred pounds sterling, annually, payable to the Lieutenant Governor of the Province, in addition to his salary now borne upon the Civil List of the Province, to commence on the first day of June in the year of our Lord one thousand eight hundred and thirty seven, and continue during his Administration of the Government; We therefore pray your Majesty that it may be enacted,’

I. And be it enacted by the Lieutenant Governor, Legislative Council and Assembly, and by the authority of the same, That there be and is hereby granted to the Queen’s most Excellent Majesty, out of the Revenues of this Province, the sum of five hundred pounds sterling, annually, from the first day of June in the year of our Lord one thousand eight hundred and thirty seven, as an addition to the salary now received by the Lieutenant Governor and chargeable on the Civil List of the Province, the same to continue until the term of his Administration of the Government shall cease.

£500 sterling, per annum, granted as an addition to the Salary of the Lieutenant Governor, from first of June 1837.

II. And be it enacted, That this Act shall not be in force until Her Majesty’s Royal Approbation be thereunto had and declared.

Limitation.

Suspending clause.

[*This Act was specially confirmed, ratified and finally enacted by an Order of the Queen in Council, dated the 22d day of May, 1840, and published and declared in the Province on the 29th day of July, 1840.*]

ACTS
OF
THE GENERAL ASSEMBLY
OF
HER MAJESTY'S PROVINCE
OF
NEW BRUNSWICK,
PASSED IN THE YEAR
1841.



FREDERICTON:

PRINTED BY JOHN SIMPSON, PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

MDCCCXLI.



Anno Regni VICTORIÆ Britanniarum Reginae Quarto.

AT the General Assembly of the Province of New Brunswick begun and holden at Fredericton on the Twenty eighth Day of December, *Anno Domini* One thousand eight hundred and thirty seven, in the First year of the Reign of our Sovereign Lady Victoria, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, and from thence continued by several Prorogations to the Twentieth Day of January one thousand eight hundred and forty one ; being the Fifth Session of the Twelfth General Assembly convened in the said Province.

1872

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THE
A C T S
OF
THE GENERAL ASSEMBLY, &c.

CAP. I.

An Act relating to the summoning and attendance of Petit Jurors at the respective Sittings and Circuit Courts in this Province.

Passed 19th March 1841.

I. **B**E it enacted by the Lieutenant Governor, Legislative Council and Assembly, That it shall and may be lawful for the Judges of the Supreme Court, or any two of them, and for the Commissioners named in any Commission of Oyer and Terminer and General Gaol Delivery, or any two of them, of whom the presiding Judge shall be one, when and so often as occasion may require, to issue their precept to the Sheriff of the County of York or to the Sheriff of any County or City and County in which any Court of Oyer and Terminer and General Gaol Delivery may be appointed to be holden, as the case may be, directing such Sheriff to summon such number of persons duly qualified to serve as Petit Jurors, for any Sittings for the County of York, or for such Court of Oyer and Terminer and General Gaol Delivery respectively, as to such Judges or Commissioners may seem necessary or expedient, as may in such Precept be specified, not less however than twenty four; which persons so duly summoned shall be bound to give their attendance at the time and place appointed for holding any such Sittings or Court, to serve as Petit Jurors during the Sittings of such Court: Provided always and be it enacted, that the presiding Judge at any such Sittings or Court, shall be and he is hereby authorized and empowered to make any such arrangements or regulations, or give such directions, respecting the daily attendance of any and such of the said Jurors as to him may seem meet, in case he shall be of opinion that the constant attendance of the whole of the said Jurors so summoned as aforesaid may not be requisite.

Authority given to issue precepts for summoning Petit Jurors for the Sittings in York or Courts of Oyer and Terminer and general Gaol delivery.

Persons summoned bound to attend.

Presiding Judge may regulate the daily attendance.

II. And be it enacted, That the Jurors so summoned to attend at any Court of Oyer and Terminer, or such and so many of them as the presiding Judge may direct and appoint, shall be the Juries for hearing and determining all causes Criminal to be heard and tried at such Court, and also for the trial of all causes Civil to be tried at Nisi Prius at any Circuit Court held contemporaneously with such Court of Oyer and Terminer; the Jury for any Civil cause to be drawn and returned in the manner now by Law directed.

Jurors for the Court of Oyer and Terminer to be also Jurors for the trial of civil causes to be tried at Nisi Prius at any Circuit Court.

III.

Absent Jurors, on proof of having been duly summoned, to be fined.

Amount.

Recovery.

Act not to repeal the fifth section of 6 Wm. 4, c. 47, but extended to Jurors summoned by virtue thereof.

Provisions of 26 G. 3, c. 6, to remain in force, except so far as altered or repealed.

Commencement of Act.

III. ' And whereas much delay and obstruction have occurred in the administration of Justice, for the default of Jurors in attendance, in some of the Circuits in this Province; and it is deemed necessary to increase the Fines for such delinquency; Be it enacted, That every person who may be duly summoned to attend as a Petit Juror at any Court of Oyer and Terminer, and who shall not appear when called upon the trial of any Criminal cause in such Court, or upon the trial of any Civil cause at Nisi Prius, shall on due proof being made by oath or affidavit of the summoning Officer that such person hath been lawfully summoned, forfeit and pay for the first default any sum not exceeding ten shillings, and for every subsequent default any sum not exceeding five shillings as the presiding Judge at such Court shall think reasonable to inflict or assess, unless some sufficient cause of his absence be assigned and proved to the satisfaction of such Judge: Provided always, that the amount of the said fines, to be levied on each Juryman for the several defaults at any one Court, shall not exceed the sum of five pounds; such fines so inflicted as aforesaid to be levied and collected under and by virtue of the Laws now in force for the recovery of fines imposed on Jurors and Officers attending the Courts of Justice in this Province, and subject to the provisions therein contained.

IV. And be it enacted, That nothing in this Act contained shall be deemed or taken to repeal the fifth section of an Act made and passed in the sixth year of the Reign of King William the Fourth, intituled "An Act in addition to an Act for regulating Juries, and declaring the qualification of Jurors," but the provisions in this Act contained in regard to fines to be imposed on delinquent Jurors, shall extend and be construed to apply to Jurors summoned under and by virtue of the said section of the said recited Act.

V. And be it enacted, That all the provisions of the Act passed in the twenty sixth year of the Reign of His late Majesty King George the Third, intituled "An Act for regulating Juries and declaring the qualifications of Jurors," shall continue and remain in full force and effect, excepting so far as the same may have been altered or repealed by this Act, or by any other Act of Assembly now in force.

VI. And be it enacted, That this Act shall commence and take effect on the first day of June one thousand eight hundred and forty one.

CAP. II.

An Act in addition to the Acts relating to Circuit Courts.

Passed 19th March 1841.

Preamble. Recites an adjournment of the Saint John Circuit Court and Court of Oyer and Terminer and General Gaol Delivery.

' **W**HEREAS in consequence of the great quantity of business at the Circuit Court and Court of Oyer and Terminer and General Gaol Delivery holden in and for the City and County of Saint John on the second Tuesday in January in the present year, it became impossible to finish the same before the Hilary Term of the Supreme Court then next following and now past; and such Circuit Court and Court of Oyer and Terminer and General Gaol Delivery, were on Saturday the thirtieth day of January last adjourned to the second Tuesday in April next: And whereas doubts may arise as to the validity of such adjournment: And whereas it is expedient to provide for similar adjournments in future;

Adjournment deemed valid, notwithstanding a Term of the Supreme Court intervenes.

I. Be it declared and enacted by the Lieutenant Governor, Legislative Council and Assembly, That such adjournment of the said Courts is and shall be deemed to be good, valid and effectual, notwithstanding a Term of the Supreme Court intervenes; and the business of the said Courts shall be proceeded in and finished upon and after the said second Tuesday in April next in the usual manner.

II. And be it declared and enacted, That it is and shall be lawful for the presiding Judge at any Circuit Court or Court of Nisi Prius, as well as any Court of Oyer and Terminer and General Gaol Delivery, to adjourn the same to any future day, whenever such adjournment may seem to him necessary or proper, in order to the finishing of the business before any such Court or Courts, notwithstanding any Term of the Supreme Court may intervene between the time of adjournment and that to which such adjournment may be made: Provided always, that no such adjourned Court of Oyer and Terminer and General Gaol Delivery shall extend beyond the time to which such Courts are limited in and by the Commission or Letters Patent under which the same are held.

Courts may be adjourned, notwithstanding the intervening of a Term of the Supreme Court, when such adjournment is necessary to the finishing of the business.

III. And be it declared and enacted, That the Grand Jury and Petit Jury in attendance on such Courts respectively, shall re-assemble and attend at any such adjourned Court, if thereto required by the presiding Judge at the time of such adjournment, and shall be liable to the like pains and penalties for non-appearance and non-attendance, and for any misdemeanor or default, as such Jurors are by Law liable to in any Circuit Court or Court of Oyer and Terminer and General Gaol Delivery.

Juries to re-assemble when thereto required by the Judge.

IV. And be it enacted, That it shall be lawful for any two Justices of the Supreme Court to issue their precept to the Sheriff of any County or City and County wherein any such adjourned Court is to be held for the summoning of a new Grand Jury or a new Petit Jury, which new Petit Jury may consist of any number authorized by Law to be summoned for any Circuit Court or Court of Oyer and Terminer and General Gaol Delivery; and every such Sheriff shall obey such precept and render due return thereto; and the Petit Jurors so summoned shall form the Juries for the trial of causes both Criminal and Civil at such adjourned Court, and shall be subject to the arrangements and regulations respecting the number required to be in daily attendance, authorized by Law in any such Circuit Court or Court of Oyer and Terminer and General Gaol Delivery: and the presiding Judge at any such adjourned Court may also, if need be, issue a precept for a second Jury according to the provisions of an Act made and passed in the sixth year of the Reign of His late Majesty King William the Fourth, intituled "An Act in addition to an Act for regulating Juries, and declaring the qualification of Jurors;" the day for the appearance of such second Jury not to be earlier than the sixth day after the day on which such adjourned Court may be opened.

Precepts may be issued for summoning new Juries for adjourned Courts;

As also, if need be, for a second Jury, under Act 6 W. 4, c. 47.

V. And be it enacted, That all Jurors duly summoned, and the respective Sheriffs, Coroners, Bailiffs, Constables and Officers, and Ministers of the Law in the City and County of Saint John, or any other County where any such adjourned Court may be held, and also all parties and witnesses, both in Criminal and Civil cases, shall give their attendance at such adjourned Court, and shall be charged and bound in the like manner, and upon like pains and penalties for non-appearance and non-attendance, or for any misdemeanor or default at such adjourned Court, as at any Circuit Court or Court of Oyer and Terminer and General Gaol Delivery: Provided always, that no witness in any civil cause for trial at any such adjourned Court shall be liable to be proceeded against in any manner for non-attendance, unless duly served with a subpoena to attend at such adjourned Court, and his expenses thereupon are duly paid or tendered in the usual manner.

Jurors, Sheriffs, &c. parties and witnesses to give their attendance at adjourned Courts.

Liability of Witnesses for non-attendance at adjourned Courts.

VI. And be it enacted, That in all causes which may stand for trial at any such adjourned Court, the Nisi Prius Record, Jury Process, and Postea, shall be deemed, taken and dealt with in all respects as if the same were expressed to be returnable at the Term of the Supreme Court next following such adjourned

Return of Nisi Prius record, Jury Process and Postea, in causes for trial at the adjourned Court,

Court:

Court: Provided always, that no new notice of trial shall be necessary in any such cause, and that no new cause shall be entered for trial at any such adjourned Court.

CAP. III.

An Act relating to the Parish Church of the Parish of Portland, in the County of Saint John, and to the Church Corporation of the said Parish.

Passed 19th March 1841.

Preamble.
6 W. 4, c. 3.

‘**W**HEREAS in and by an Act made and passed in the sixth year of the ‘Reign of His Majesty King William the Fourth, intituled “An Act ‘to regulate the election of Church Wardens and Vestrymen in the Parish of ‘Portland, in the County of Saint John; and to extend such regulations to other ‘Parishes where the sittings in the Church may be free and open,” it was ‘enacted, “That the Church Wardens and Vestry of the said Church so soon as ‘they might be duly elected and chosen, pursuant to the provisions of the said ‘Act, together with the Rector of the said Church for the time being, and their ‘respective Successors, for ever, should be a body Politic and Corporate in deed ‘and name, and should have succession for ever, by the name of the Rector, ‘Church Wardens and Vestry of Grace Church in the Parish of Portland,” and ‘it is also further enacted, “That Grace Church should be deemed and taken to ‘be the Parish Church of the said Parish of Portland, until the said Rector, ‘Church Wardens and Vestry should have erected another Church instead ‘thereof, and the same should be duly consecrated to that purpose, and opened ‘for Public Worship, according to the Rites and Ceremonies of the Church of ‘England, and in case of the erection of such other Church, all the provisions of ‘the said Act should extend and be construed to extend to the said new Church, ‘in as full and ample a manner as if the same were particularly re-enacted and ‘applied to such new Church:” And whereas since the passing of the said Act, ‘another large and commodious Church has been erected within the said ‘Parish, and has been recently consecrated, and is now used for Public ‘Worship by the name of “Saint Luke’s Church,” the expense of which has ‘been partly defrayed by private subscription, but it was found necessary, in ‘order to raise sufficient funds for completing the same, and for making a regu- ‘lar provision for the support of the Minister or Rector of the said Parish to dis- ‘pose of Pews in the said Church, subject to the payment of Annual Rents, as ‘is done in the Parish of Saint John, and in the other Parishes of the Province, ‘reserving however free seats for the accommodation of poor persons to the num- ‘ber of two hundred and fifty at least, in consequence whereof the provisions of ‘the said recited Act have become inapplicable to the said Parish of Portland, ‘and it is expedient that the Parish of Portland and Church Corporation therein ‘be placed on the same footing, and elected in like manner as those in other ‘Parishes: And whereas the Rector, Church Wardens and Vestry of Grace ‘Church, together with many other Parishoners of the said Parish have, by ‘their Petition to the General Assembly prayed, that an Act may pass for the ‘purpose above mentioned, which Petition has received the sanction of the Lord ‘Bishop of the Diocese, and of the Archdeacon of the said Province: And ‘whereas it is expedient that the said recited Act should be repealed;’

Act 6 W. 4, c. 3,
repealed.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That the said Act, intituled “An Act to regulate the election of Church

Church Wardens and Vestrymen in the Parish of Portland, in the County of Saint John, and to extend such regulations to other Parishes, where the sittings in the Church may be free and open," shall be and the same is hereby repealed.

II. And be it further enacted, That the said Church called Saint Luke's Church, shall and is hereby declared to be the Parish Church of the said Parish, and that the Rector of the said Parish duly constituted and appointed together with the Church Wardens and Vestry of the said Church, so soon as they may be duly elected and chosen pursuant to the Acts in force relative to the election of Church Wardens and Vestrymen, and their respective Successors for ever, shall be a body Politic and Corporate in deed and name, and shall have succession for ever by the name of the "Rector, Church Wardens and Vestry of Saint Luke's Church in the Parish of Portland."

Saint Luke's Church declared to be the Parish Church of Portland.
Rector, Church Wardens and Vestry incorporated.

III. And be it further enacted, That all debts due and owing to the Rector, Church Wardens and Vestry of Grace Church in the said Parish of Portland, shall be paid to and may be recoverable by and in the name of the Rector, Church Wardens and Vestry of Saint Luke's Church aforesaid, in the same manner as if the said debts had been contracted with them; and all Property Real and Personal of the said Corporation of Grace Church, shall become vested in the said new Corporation, and shall be holden henceforth by them in the same manner as the former Corporation could have held the same; and that the said new Corporation shall be liable to the debts, contracts and engagements of the old Corporation, and the said new Corporation shall be deemed the lawful Successors of the said old Corporation.

Debts due to the Corporation of Grace Church in Portland to be paid to the Corporation of Saint Luke's Church.

Property real and personal vested in the new Corporation, which is to be liable for the debts of the old Corporation.

IV. And be it further enacted, That all purchase or preference monies and Rents due or to become due for Pews or Sittings in Saint Luke's Church, upon and by virtue of the sales by Auction or Private Bargain to any person or persons, shall be payable to, and may be recoverable by and in the name of the said Rector, Church Wardens and Vestry of Saint Luke's Church, in the same manner as if the Contracts had been made with them; and that in default of such payments, the said Rector, Church Wardens and Vestry may sue for the same or proceed to a forfeiture of the said Pews and Sittings, according to the rules or conditions under which the Sales or Contracts were originally made: Provided always, that at least two hundred and fifty free sittings for poor persons shall always be left in the said Church.

Preference monies and rent of Pews in Saint Luke's Church to be payable to the Corporation of that Church, in the same manner as if the contracts had been made with them.

Proviso for free sittings.

V. ' And whereas in and by a certain Indenture bearing date the sixteenth day ' of April, in the year of our Lord one thousand eight hundred and forty, duly ' executed, acknowledged and registered, James White of the City of Saint John, ' in the Province of New Brunswick, Esquire, and Elizabeth, his Wife, for certain consideration therein mentioned, did grant, bargain and sell unto the Church ' Corporation of the said Parish, by the name of the Minister, Church Wardens ' and Vestry of Grace Church, in the Parish of Portland, in the County of Saint ' John, in the said Province, their Successors and Assigns, all that certain lot, ' piece and parcel of land, situate lying and being in the said Parish of Portland, ' bounded and described as follows: That is to say, beginning at a stake and stones ' at the intersection of the Northern line of the old Indian Town Road, so called ' by a prolongation of the line running North fifteen degrees East or thereabouts, ' dividing the Lands formerly owned and occupied by the Honorable William ' Hazen, from the Lands formerly owned and occupied by the late James White, ' Esquire, thence from the said stake and stones, Northerly by the said prolonga- ' tion of the said dividing line, till it meets the South Westerly side line of the ' Queen's Land at Fort Howe, thence by the said last mentioned line, North ' Westerly

Preamble.
Recites deed from James White, Esq. and his wife, of a certain piece of land in Portland to the Minister, Church Wardens and Vestry of Grace Church.

Estate vested in the Corporation of Grace Church, notwithstanding the mistake in the name of the Corporation.

To become vested in the Corporation of Saint Luke's Church.

Corporation of Saint Luke's Church authorized to convey the lot of land and School House to the Governor and Trustees of the Madras School and their successors, with conditions of re-investment if a School be not there established and continued.

'Westerly till it meets the dividing line between the Land of the said James White, Esquire, the grantor in the said deed, and the Land of James Peters, Esquire, thence Southerly by the said last mentioned dividing line, to the Northern line of the said old Indian Town Road, thence by the said line of the said Road, Easterly to the place of beginning, together with all buildings and improvements thereon, and all the rights, members and appurtenances thereto belonging, to have and to hold the same unto the said Minister, Church Wardens and Vestry, their Successors and Assigns, to their only proper use and behoof for ever;' Be it further enacted, that the said deed and conveyance, and the Estate thereby granted, bargained and sold, shall be deemed good, valid and effectual, notwithstanding the mistake in the name of the Corporation, and to have vested the Title therein and thereto in the Rector, Church Wardens and Vestry of Grace Church; and upon their dissolution by virtue of this Act to be and to become vested in the Rector, Church Wardens and Vestry of Saint Luke's Church, and their Successors in the same manner as any other property of the said Rector, Church Wardens and Vestry of Grace Church.

VI. 'And whereas, the object of the Church Corporation in making the purchase of the said lot of Land in the next preceding Section mentioned, was to erect and build thereon a School House, which has been partially accomplished; and it has been considered advisable that such School should be conducted upon the Madras system, but in order to effect this, it may become necessary to assign and convey the same to the Governor and Trustees of the Madras School in New Brunswick;' Be it enacted, that the said Rector, Church Wardens and Vestry of Saint Luke's Church, and their Successors, shall be fully authorized and empowered to make sale and conveyance of the said lot of Land and School House thereon to the said Governor and Trustees of the Madras School and their Successors, in trust, nevertheless, for the purpose of a School in the said Parish, to be considered a Branch of the Provincial Madras School, and for no other use or purpose whatsoever; and upon this condition, that if such School shall not be established and commence within two years from the passing of this Act, or if after being established it shall be discontinued for any time or term, together exceeding one year, or shall not be continued and kept in operation for at least six months in every year after the expiration of the said two years, the said Land and School, and all the estate, right, title and interest therein, shall revert and become reinvested in the said Rector, Church Wardens and Vestry of Saint Luke's Church, and their Successors in the same manner as if the same had not been conveyed to the said Governor and Trustees of the Madras School.

Commencement of Act.

VII. And be it further enacted, That this Act shall continue and take effect on Easter day being the eleventh day of April next.

CAP. IV.

An Act in further amendment of the Law.

Passed 19th March 1841.

Preamble.

'**W**HEREAS it is customary in this Province to give Notes payable in Timber, Country Produce and other specific articles, and it is expedient to place such Notes on the same footing, as regards the proof of consideration, with Promissory Notes payable in money;'

All Notes payable otherwise than in money to be deemed *prima*

Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That all Notes in writing for a sum certain payable otherwise than in money, shall

shall be deemed and held *prima facie* to import that they were given for a valuable consideration, in like manner as Promissory Notes for the payment of money. *facie evidence of having been given for a valuable consideration.*

CAP. V.

An Act to authorize the Justices of the Peace in certain Counties in this Province to exempt the French Inhabitants from the assessment of Poor Rates.

Passed 19th March 1841.

WHEREAS the French Inhabitants in this Province are accustomed to 'support their own Poor;'

I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That it shall and may be lawful for the Justices of the Peace in the several Counties of Westmorland, Kent, Northumberland, Gloucester and Carleton, at their General Sessions of the Peace, who may allow and order any assessment of the accounts of any Overseers of the Poor, pursuant to the direction of the Act of the General Assembly of this Province, for regulating and providing for the support of the Poor in this Province, at the same time, if they in their discretion shall think proper, to exempt the French Inhabitants who may be resident in the Parish in which such assessment is to be made, from the whole or any part of such assessment.

Justices in Sessions in specified Counties may exempt the French Inhabitants from any assessment for Poor Rates.

II. And be it further enacted, That when any such exemption shall be so made, the same shall be expressed in the Warrant of assessment which may thereupon issue, and the Assessors to whom the same may be directed shall conform thereto in making their assessment.

Exemption to be expressed in the Warrant of Assessment.

III. And be it further enacted, That this Act shall continue and be in force until the first day of April which will be in the year of our Lord one thousand eight hundred and forty five.

Limitation.

CAP. VI.

An Act to continue an Act to provide for the prompt payment of all demands upon the Provincial Treasury.

Passed 19th March 1841.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the second year of the Reign of Her present Majesty Queen Victoria, intituled "An Act to provide for the prompt payment of all demands upon the Provincial Treasury," be and the same is hereby continued and declared to be in full force until the first day of June which will be in the year of our Lord one thousand eight hundred and forty five.

Act 2 Vic. C. 44, continued.

CAP. VII.

An Act to extend the provisions of an Act, intituled "An Act to enable the Commissioners of Highways in the Parishes of Maugerville, Sheffield and Waterborough, to lay out Highways, and to appropriate part of the Statute Labour for securing the Bank of the River in front of those Parishes," to the Parish of Gagetown, in Queen's County.

45 G. 3, c. 13.

Passed 19th March 1841.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and after the passing of this Act, an Act made and passed in the

Act 45 G. 3, C. 13, continued.

the forty fifth year of the Reign of His Majesty King George the Third, intituled "An Act to enable the Commissioners of Highways in the Parishes of Mauger-ville, Sheffield and Waterborough, to lay out Highways, and to appropriate part of the Statute Labour for securing the Bank of the River in front of those Parishes," and all the provisions thereof, be and the same are hereby extended to the Parish of Gagetown, in Queen's County.

CAP. VIII.

2 Vic. c. 48.

An Act to continue an Act, intituled "An Act to provide for the summary punishment of persons committing trespasses upon Square Timber and other Lumber."

*Passed 19th March 1841.*Act 2 Vic. C. 48,
continued,

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the second year of the Reign of Her present Majesty Queen Victoria, intituled "An Act to provide for the summary punishment of persons committing trespasses upon Square Timber and other Lumber," be and the same is hereby continued and declared to be in full force until the first day of May which will be in the year of our Lord one thousand eight hundred and forty five.

CAP. IX.

An Act to authorize the Justices of the Peace in the County of Kent to levy an assessment to pay off the County Debt.

*Passed 19th March 1841.*Justices of Kent
authorized to As-
sess the County
to pay off the
debts.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the Justices of the Peace for the County of Kent, at any General Sessions of the Peace hereafter to be holden, or any Special Sessions of the Peace to be for that purpose convened, be and they are hereby authorized and empowered to make such rate and assessment of any sum not exceeding two hundred pounds, as in their discretion they may think necessary for the purpose of paying off the Debt of the said County; the same to be assessed, levied, collected and paid agreeably to any Acts now or hereafter to be in force for the assessing, collecting and levying of County Rates.

CAP. X.

An Act to provide for more effectually repairing the Streets and Bridges in a part of the Parish of Saint Stephens.

*Passed 19th March 1841.*Money to be paid
in lieu of perform-
ing Statute La-
bour, in a describ-
ed part of Saint
Stephen.

I. **BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That all persons liable to perform labor on the Streets and Highways in that part of the Parish of Saint Stephen, in the County of Charlotte, which is included within the following limits, to wit: commencing at the mouth of Dennis' or Porter's Mill Stream, and extending to the residence of Robert M. Todd in Mill Town, and between the River Saint Croix and a line drawn one mile back from the said River, shall in future in lieu of such labor annually pay the sum of two shillings and six pence for each and every day's labor such persons are respectively liable to perform.

II.

II. And be it enacted, That the monies required to be paid in virtue of this Act shall be assessed, levied and collected in the same manner as any Parish or County rates are assessed, levied and collected by virtue of any Law now in force, or which may hereafter be in force for that purpose in this Province; and when collected, such monies shall be paid over to the Commissioners of Highways for the said Parish, to be by them expended on the Streets and Bridges within the above described limits, in the same manner as any monies by them received in lieu of labor have been hitherto by Law expended.

To be levied as
other County or
Parish Rates,

and paid over to
the Commissioners
of Highways.

CAP. XI.

An Act to authorize the Justices of the Peace for the County of Charlotte to assess the Parish of Saint Stephen, in the said County, for the erection of a Wharf on the Public Landing at Salt Water in said Parish.

Passed 19th March 1841.

I. **BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the Justices of the Peace for the County of Charlotte, or the major part of them, at any General Sessions of the Peace to be holden in and for the said County, be and they are hereby authorized and empowered to make a rate and assessment on the Parish of Saint Stephen, in the said County of Charlotte, for a sum not exceeding four hundred pounds, for defraying the expense of building, erecting and finishing a Wharf at the Public Landing at Salt Water in the said Parish, for the use of the same, and to make such regulations not inconsistent with the Grant of the said Public Landing, or any previous Act of Assembly relating to the same, for the said Wharf, as to them may seem meet: Provided always, that no greater sum than one hundred pounds shall be assessed by virtue of this Act in any one year.

Justices in Ses-
sions authorized
to assess the
County for the
erection of a
Wharf,

And to make
regulations.

Amounts to be
assessed in one
year limited.

II. And be it enacted, That the said sum not exceeding four hundred pounds so to be assessed as aforesaid, shall be assessed, collected and paid, agreeably to any Acts in force for assessing, collecting and levying of County or Parish Rates.

To be assessed
under the Acts
for assessing and
levying County
rates

CAP. XII.

An Act to authorize Her Majesty's Justices of the Peace for the County of Gloucester to contract for the erection of a new Gaol in the said County, and for other purposes therein mentioned.

Passed 19th March 1841.

I. **BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That it shall and may be lawful for Her Majesty's Justices of the Peace for the County of Gloucester in General Sessions of the Peace assembled, or at any Special Sessions of the Peace, to consist of not less than five of the Justices, and to be for that purpose holden, to contract and agree with able and sufficient workmen, for erecting, building and finishing a new Gaol in the said County, and to agree for such sums of money as to them may seem meet, in order to carry this object into effect, and to make a rate and assessment upon the Inhabitants and others of the said County for a sum not exceeding five hundred pounds, for defraying the expense of such building and erection.

Justices of
Gloucester au-
thorized to con-
tract for erecting a
new Gaol, and to
assess the County
not exceeding
£500.

II. 'And whereas the said Justices of the Peace of the County of Gloucester are now possessed of two certain lots of Land, situate, lying and being in the Town Plot of Bathurst, in the County of Gloucester aforesaid, the first Lot

Preamble.

‘ being a part of Lot number twenty seven, surveyed as a Gaol lot or yard, and
 ‘ abutted and bounded as follows :—Beginning at a stake standing on the south
 ‘ side of Water Street at the northerly corner of Lot number twenty six, thence
 ‘ along the division line of said Lot and number twenty seven, seventeen and one
 ‘ half feet, thence north eighty four degrees thirty minutes west eighty two feet,
 ‘ thence north four degrees thirty minutes east seventy seven feet, or to Water
 ‘ Street, thence along said Street to the place of beginning; on which lot of Land
 ‘ the building at present used as a Gaol for the said County of Gloucester is
 ‘ situated: the second Lot being a tract of Land appurtenant to the said Gaol
 ‘ Lot, and described as follows, viz :—Commencing on the northern side of Water
 ‘ Street, in the said Town Plot of Bathurst, and in the point of intersection of the
 ‘ northerly prolongation of the western boundary line of the Gaol Lot, with the
 ‘ said northern side of Water Street, and which point is also the south western
 ‘ angle of Water Lot number ten, located to William Carman, thence running
 ‘ by the magnet north four degrees and thirty minutes east two hundred feet,
 ‘ thence south four degrees and thirty minutes east ninety feet, to intersect the
 ‘ northerly prolongation of the eastern boundary line of said Gaol Lot, thence
 ‘ south four degrees and thirty minutes west two hundred feet, along the said
 ‘ prolongation to Water Street, and thence north fifty four degrees and thirty
 ‘ minutes west ninety feet, along the same to the place of beginning, containing
 ‘ fourteen perches, more or less: And whereas it is deemed advisable to autho-
 ‘ rize the said Justices at their General Sessions or Special Sessions as aforesaid,
 ‘ should they see fit to sell and dispose of the said Lots or either of them, or all
 ‘ and singular the buildings and improvements made and erected on them or
 ‘ either of them in Fee Simple, in order that the proceeds may be by them ap-
 ‘ propriated towards the building and erecting of the said new Gaol;’ Be it
 enacted, That the said Justices of the Peace for the County of Gloucester at
 their General Sessions or at any Special Sessions to be holden as hereinbefore
 mentioned, be and they are hereby authorized and empowered to make sale and
 dispose of the said lots of Land or either of them, or any part of either, with all
 and singular the buildings, appurtenances and improvements, to the highest
 bidder at Public Auction, two months public notice of the time and place of such
 sale being first given in the Newspaper published in Miramichi, and also in three
 or more of the most public places in the said Town of Bathurst, and thereupon
 to make and execute a good, legal and sufficient conveyance of the same in fee
 under the Common Seal of the Court of General Sessions of the Peace of the
 said County of Gloucester.

Justices in Sessions
 authorized to dis-
 pose of Lots de-
 scribed in the
 preamble after due
 public Notice.

CAP. XIII.

1 Vict. c. 27.

An Act to continue an Act, intituled “ An Act for the better and more effectual securing the navigation of the Newcastle River, in Queen’s County.”

Passed 19th March 1841.

Act 1 Vict. C. 27,
 continued.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the first year of the Reign of Her present Majesty Queen Victoria, intituled “ An Act for the better and more effectual securing the navigation of the Newcastle River, in Queen’s County,” be and the same is hereby continued and declared to be in full force until the first day of April which will be in the year of our Lord one thousand eight hundred and forty five.

CAP.

CAP. XIV.

An Act to permit the establishment of a Fish Market in one of the Public Slips in the City of Saint John.

Passed 19th March 1841.

WHEREAS the Mayor, Aldermen and Commonalty of the City of Saint John, by their Petition have represented the great public utility of establishing a Market for the sale of Fish in the Public Slip at the foot of Duke Street in the said City, and have prayed that they may be authorized to erect a building therein for that purpose;

Preamble.

Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That it shall and may be lawful for the said Mayor, Aldermen and Commonalty of the City of Saint John, and they are hereby authorized and empowered to erect and build a Market House and establish a Public Market for the sale of Fish, in the Public Slip at the foot of Duke Street, on the eastern side of the Harbour of the City of Saint John, and the same to regulate, support, repair, alter and enlarge, in such manner as from time to time may be deemed necessary and expedient for public accommodation.

Corporation of Saint John authorized to build a Market House and establish a Market for Fish at the foot of Duke Street in the City.

CAP. XV.

An Act to authorize the Justices of the Peace for the County of Carleton to assess the said County to pay off the County Debts.

Passed 19th March 1841.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the Justices of the Peace for the County of Carleton at any General or Special Sessions of the Peace hereafter to be holden, be and they are hereby authorized and empowered to make such rate and assessment of any sum not exceeding three hundred pounds, as in their discretion they may think necessary for the purpose of paying off the debts of the said County, the same to be levied, assessed, collected and paid agreeably to any Act now or hereafter to be in force for assessing, collecting and levying of County Rates.

Justices in Sessions authorized to assess the County to pay off debts.

CAP. XVI.

An Act to continue and amend an Act, intituled "An Act for the relief of Old Soldiers of the Revolutionary War and their Widows." 2 Vict. C. 27.

Passed 19th March 1841.

I. **B**E it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the Affidavits mentioned in the second and third sections of the said above in part recited Act, having been once made and filed, as provided by the said Act, shall not be required to be made out and filed from year to year, but such Affidavits respectively shall be deemed sufficient without any further repetition thereof, anything in the said in part recited Act to the contrary notwithstanding.

Affidavits mentioned in 2 Vict. C. 27, S. 2 & 3 not required to be filed annually, after being once filed.

II. And be it enacted, That the applicant under the said Act shall from year to year be required to procure from some Justice of the Peace of the County in which such applicant resides, a Certificate under the hand of such Justice, that he or she is living, and shall file the said Certificate in the same manner as the Affidavits are by the said in part recited Act required to be filed.

A life certificate under the hand of a Justice of the Peace to be filed.

III. And be it enacted, That this Act, and the Act of which this is an amendment,

Limitation.

Repealed 1841

amendment, shall continue and remain in force until the first day of April in the year of our Lord one thousand eight hundred and fifty.

CAP. XVII.

An Act to authorize the Justices of the Peace for the City and County of Saint John to levy an Assessment to pay off the County Debt.

Passed 19th March 1841.

Justices in Sessions authorized to assess the City and County to pay off County debts.

BE it enacted, by the Lieutenant Governor, Legislative Council and Assembly, That the Justices of the Peace for the City and County of Saint John, at any General Sessions of the Peace hereafter to be holden therein, be and they are hereby authorized and empowered to make such rate and assessment of any sum not exceeding two hundred and fifty pounds, as they in their discretion may think necessary for the purpose of paying off the balance due by the said City and County for contingent and other County expenses, the same to be assessed, levied, collected and paid agreeably to any Act or Acts made or to be made for assessing, collecting and levying County Rates.

CAP. XVIII.

An Act to establish a Division Line between the Parishes of Northampton and Brighton in the County of Carleton.

Passed 19th March 1841.

Division Line between the Parishes of Northampton and Brighton described.

‘WHEREAS from the want of a Law establishing a Division Line between the Parishes of Northampton and Brighton, difficulties and ‘disputes have arisen in the assessment of the Inhabitants of the said Parishes ‘respectively: Therefore to prevent such difficulties in future,’ Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the said Line shall commence at the mouth of a certain Creek on the east side of the River Saint John, commonly called and known by the name of Shaw’s Creek, and to run from thence a true east course until it strikes the eastern Boundary Line of the County, any Law to the contrary notwithstanding.

CAP. XIX.

An Act for the better and more effectual securing the Navigation of the River Miramichi, in the County of Northumberland, and to protect the Fisheries on the said River.

Passed 19th March 1841.

Preamble.

‘WHEREAS there are extensive Mills for the Manufacturing of Lumber, ‘on or near the River Miramichi, between Beaubair’s Point and ‘Sheldrake Island, the Slabs, Rinds, and Refuse from which are generally thrown ‘into the said River, whereby the navigation thereof is becoming obstructed and ‘the Fisheries thereon are greatly injured;’

Throwing or permitting to be thrown Slabs, Rinds, refuse &c. from Mills between Beaubair’s Point and Sheldrake Island.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and after the passing of this Act, if any person or persons who may be the owner or owners of any Mill or Mills already erected, or that may be hereafter erected on or near the River Miramichi, between Beaubair’s Point and Sheldrake Island, (except as hereinafter mentioned) for the manufacture of Lumber of any description, or any person who may be engaged in manufacturing

manufacturing Lumber in any such Mill or Mills shall suffer or permit any Slabs, Rinds, Bark, Log ends or rubbish of that description made or cut at any such Mill or Mills to fall, roll, float or be thrown into any part of the River Miramichi or into any Creek or Stream falling into the said River within the limits above mentioned, every such owner or owners of such Mill or Mills or other person or persons manufacturing Lumber at any such Mill or Mills, shall forfeit, and be liable to pay a fine for every such offence, a sum not exceeding twenty pounds nor less than ten pounds, to be recovered with costs of suit before any two of Her Majesty's Justices of the Peace for the County of Northumberland, at the suit of the Treasurer for the said County for the time being, or of any other person who shall prosecute for the same, on the oath of one or more credible witness or witnesses, and to be levied by Warrant of distress and sale of the offender's goods and chattels, rendering to him or them the surplus (if any) after deducting the costs and charges of prosecution and of the levying and sale of the said goods and chattels; and if no goods and chattels can be found whereon to levy the same, then the offender or offenders to be committed by the Warrant of the Justices to the Common Gaol of the said County, there to remain for any time not exceeding thirty days, unless the amount of such fine and costs shall be sooner paid; and such fine when recovered shall be paid into the hands of the Treasurer of the said County for the public uses thereof: Provided always, that the Saw Mill now standing on French Fort Cove, within the limits above mentioned, shall not be liable to the provisions of this Act.

Penalty.

Recovery.

Saw Mill on French Fort Cove excepted.

II. And be it further enacted, That this Act shall be and continue in force until the first day of April, which will be in the year of our Lord one thousand eight hundred and forty five.

Limitation.

CAP. XX.

An Act to extend the provisions of an Act, intituled "An Act to encourage the establishment of Banks for Savings in this Province." 6 G. 4, C. 4.

Passed 19th March 1841.

WHEREAS in and by the thirteenth Section of an Act made and passed in the sixth year of the Reign of King George the Fourth, intituled "An Act to encourage the establishment of Banks for Savings in the Province," it is among other things enacted, that the Debentures to be issued in pursuance of the provisions of the said Act shall never at any time exceed the amount of ten thousand pounds in the aggregate for the whole Province, and that whenever the Debentures issued in pursuance of the provisions of the said Act shall amount in the aggregate for the whole Province to the said sum of ten thousand pounds, the Province Treasurer and his Deputies shall cease to issue any more such Debentures, and it shall be the duty of the said Treasurer to give the requisite directions to his Deputies for that purpose: And whereas it is deemed expedient to extend the provisions of the same;

Preamble.

6 G. 4, C. 4.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That it shall and may be lawful for the Treasurer of the Province, and his Deputies, in addition to the sum of ten thousand pounds to be by them received, and for which they are authorized and empowered to issue Debentures in and by the said Act, to receive further deposits to the amount of ten thousand pounds, and to issue Debentures therefor in like manner and subject nevertheless to the provisions and restrictions in the said Act contained, anything in the said Act to the contrary thereof in any wise notwithstanding.

Provincial Treasurer authorized to receive and issue Debentures for a further sum of £10,000 subject to the provisions of the Act 6 G. 4, C. 4.

CAP. XXI.

1 Vict. C. 17.

An Act in addition to and in amendment of "An Act to provide for the erection of an Alms House and Work House, and to establish a Public Infirmary in and for the City and County of Saint John."

Passed 19th March 1841.

Preamble.

1 Vict. C. 17.

6 WHEREAS in and by an Act made and passed in the first year of the 'Reign of Queen Victoria, intituled "An Act to provide for the erection of an Alms House and Work House, and to establish a Public Infirmary in and for the City and County of Saint John," it was provided, that the money required for building the same should be raised by a single assessment on the Inhabitants of the said City and County in the manner prescribed by the Law for assessing, collecting and levying County Rates: And whereas it has been considered a more equitable and less burthensome mode of raising money for Public Buildings in the said City and County by County Certificates or Notes and semi-annual payments of a proportion of the Principal, with the yearly interest on the whole sum due until the same shall be paid off;

Justices authorized to borrow the sum of £3,000 instead of raising it under the Act 1 Vic. C. 17.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That in lieu of the mode of raising the money required for building the said Alms House and Work House pointed out in and by the said Act, it shall and may be lawful for the Justices of the Peace for the said City and County of Saint John, at any General Sessions of the Peace hereafter to be holden, and they are hereby authorized and empowered to borrow such sums of money as may from time to time be required for the erecting and completing of the said Alms House and Work House, not exceeding in the whole the sum of three thousand pounds to be paid off and discharged in manner hereinafter mentioned, the same to be taken in loans of not less than one hundred pounds, and the Certificates or Notes in the following form, or to that effect, shall be prepared and delivered to the persons from whom such loans may be obtained, to wit:—

Form of Certificates to be given to the persons loaning the money.

Number —

City or County of Saint John, ss. These are to certify that (*here insert residence and addition of lender*) hath lent and advanced to the said Justices of the Peace for the City and County of Saint John, the sum of one hundred pounds Currency, which sum is payable to him, or to his order, together with interest at and after the rate of — per centum per annum, payable half yearly on the first day of June and the first day of December, pursuant to an Act of Assembly made and passed in the fourth year of the Reign of Her Majesty Queen Victoria, intituled "An Act in addition to and in amendment of an Act to provide for the erection of an Alms House and Work House, and to establish a Public Infirmary in and for the City and County of Saint John." Dated the — day of — in the year of our Lord one thousand eight hundred and —

By Order of the Sessions,

A. B., *Presiding Justice.*

C. D., *Clerk.*

To be signed by the Justice presiding and countersigned by the Clerk.

Which same Certificates or Notes shall be signed by the Justice presiding at the said Sessions, and countersigned by the Clerk, and shall be respectively numbered according to the time in which the same may be made and issued, and a memorandum thereof shall be duly entered by the Clerk in the Minutes of the said Court.

Certificates to be negotiable and bear interest.

II. And be it enacted, That the said Certificates or Notes shall be negotiable in

in the same manner as promissory Notes, and that the holders thereof shall be entitled to receive Interest for the same semi-annually, to be paid by the Treasurer of the said City and County out of the assessments hereinafter mentioned.

III. And be it enacted, That it shall and may be lawful for the said Justices of the Peace of the said City and County, and they are hereby authorized and required to make a rate and assessment in each and every year of such sum of money not exceeding five hundred pounds besides the charge for assessing and collecting as will discharge the Principal and Interest of the loans contracted by virtue of this Act, until the total amount of the loan and all interest thereon shall be paid off; all which said several sums of money shall be assessed, levied, collected and paid in such proportions and in the same manner as other County Rates for public charges are or may be assessed, levied, collected and paid under and by virtue of any Act or Acts made or to be made for assessing and collecting rates for public charges.

An assessment to be made annually until the principal and interest of the loans are paid off.

IV. And be it enacted, That the monies so to be assessed as aforesaid shall from time to time be applied after discharging the Interest due on the several loans contracted by virtue of this Act, to the payment of the principal sums mentioned in such Certificates or Notes, in due order, according to the numbers, beginning with number one; and that the Treasurer of the said County shall from time to time give one months public notice by advertisement in one of the Newspapers of the said City, for calling in such and so many of the Certificates or Notes as he is prepared to pay off, specifying the number in such Advertisement, and that from and after the expiration of the time mentioned in the said notice the Interest on such Certificates or Notes shall cease.

Monies assessed to be applied to the payment of the principal after discharging interest.

Public notice to be given by the County Treasurer of such certificates as he is prepared to pay off.

V. And be it enacted, That the County Treasurer shall be entitled to have and retain the sum of one pound per centum on every one hundred pounds for his services in receiving and paying the said monies, so to be assessed under the provisions of this Act and no more.

Treasurer to receive £1 per cent. for receiving and paying.

CAP. XXII.

An Act to amend an Act, intituled "An Act for the appointment of Firewards and the better extinguishing of Fires which may happen in the Parish of Portland, in the County of Saint John."

8 W. 4, C. 15.

Passed 19th March 1841.

I. **B**E it enacted by the Lieutenant Governor, Legislative Council and Assembly, That so much of the seventh Section of an Act made and passed in the eighth year of the Reign of His late Majesty King William the Fourth, intituled "An Act for the appointment of Firewards and the better extinguishing of Fires which may happen in the Parish of Portland, in the County of Saint John" be repealed so far as relates to the number of men to be appointed to have the care, management and working of the said Engine or Engines, tools and instruments for extinguishing Fires; and that the Firewards of the Parish of Portland are hereby authorized to appoint, pursuant to the provisions of the before recited Act, a sufficient number of able and discreet men, willing to accept the office, not exceeding forty in number, and that the said Firemen so appointed in addition to the exemption under the before mentioned Section, shall and are hereby declared to be freed, exempted and privileged from serving upon any Jury in the Court of Quarter Sessions, or in the Inferior Court of Common Pleas or in the Courts of Nisi Prius and Oyer and Terminer to be holden in and for the City and County

8 W. 4, C. 15, S. 7. so far as relates to the number of men to be appointed to the Engines &c. repealed.

Firewards authorized to appoint not exceeding forty men, who are exempted from serving as Jurymen in addition to exemptions in 8 W. 4, C. 15, S. 7.

County of Saint John, or in the City Court of the City of Saint John, and also shall be exempt and free from all statute labour on the Highways and Streets within the said Parish of Portland.

CAP. XXIII.

An Act relating to Buoys and Beacons in the Harbour of Shediac, in the County of Westmorland.

Passed 19th March 1841.

Preamble.

WHEREAS it is deemed necessary that a small duty be imposed upon 'all Vessels entering the Harbour of Shediac, in the County of Westmorland, for defraying such expences as may be incurred in erecting, repairing 'and replacing Buoys and Beacons in the said Harbour ;'

One penny per ton on vessels entering Shediac Bay granted to erect Buoys &c.

Proviso for coasting vessels.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That there be and are hereby granted to Her Majesty, Her Heirs and Successors for defraying such expences as may be incurred in erecting, building, re-building, re-placing and supporting such Buoys and Beacons, on all Vessels entering the Bay or Harbour of Shediac, the sum of one penny per ton for each and every ton such Vessels admeasure per register: Provided always, that no coasting Vessel under the register of sixty tons shall pay more than once in each year, and no coasting Vessel between sixty and one hundred tons shall pay more than twice in each year, and that all Vessels clearing from any Ports in this Province, Canada, Prince Edward's Island, Nova Scotia and Newfoundland, and Vessels on a fishing voyage, shall be considered coasters under this Act.

Tonnage duties how collected and accounted for.

II. And be it enacted, That the tonnage duties herein imposed shall be collected by the Deputy Treasurer of the District of Shediac, or such person as he may appoint for that purpose, and that the Commissioners of Buoys and Beacons for the Harbour of Shediac shall have full power and authority to call upon the said Deputy Treasurer or the person to be by him appointed as aforesaid, for all such sum or sums of money as they shall from time to time respectively have collected, an account of which sum so to be collected by the said Deputy Treasurer or the person appointed by him shall respectively when called upon as aforesaid, render upon oath to the said Commissioners, deducting from the amount collected ten per centum, which it shall be lawful for the Deputy Treasurer to retain for the trouble of collecting and paying the same.

Penalty for neglect or refusal to pay.

Recovery.

III. And be it enacted, That every Master of such Ship or Vessel who shall refuse or neglect to call upon the Deputy Treasurer of the District of Shediac, and pay to him or the person authorized by him to receive the same, the said tonnage duty as hereinbefore imposed within twenty four hours after his arrival, shall forfeit and pay for such neglect the sum of three pounds, to be sued for by the said Deputy Treasurer and recovered before any one of Her Majesty's Justices of the Peace, and applied for the purpose of erecting, repairing and replacing such Beacons and Buoys.

Deputy Treasurer to account annually to the Treasurer of the Province.

IV. And be it enacted, That the Deputy Treasurer shall annually make return of an account of the duties respectively by him received for the District to the Treasurer of the Province, with proper vouchers of the payment of the money to the Commissioners already or who may hereafter be appointed by virtue of this Act.

Commissioners to render accounts annually to the Treasurer; and furnish a copy to

V. And be it enacted, That Commissioners already appointed, or who may hereafter be appointed, shall on the twentieth day of December in each and every year render an account duly attested of the monies from time to time received and

and expended by them in pursuance of this Act to the Treasurer of the Province, to be by him transmitted, with his account, to the Secretary's Office, and shall likewise render a copy of such account to the first General Sessions in the County of Westmorland in each and every year; and the balance (if any) of the monies so received by them in the hands of the Commissioners or the major part of them, for the purposes of further improving the navigation of the said Bay and Harbour.

the first General Sessions in Westmorland.

VI. And be it enacted, That if any person or persons shall take away, destroy, deface or remove any of the said Beacons or Buoys, such offender or offenders shall on due conviction thereof, by the oath of one or more credible witness or witnesses before any one of Her Majesty's Justices of the Peace, forfeit and pay a sum not exceeding fifteen pounds, to be recovered and applied as aforesaid, and on failure of payment or want of goods and chattels whereon to levy, such offender or offenders shall be committed by such Justice or Justices to the Common Gaol of the County, there to remain for a space of time not exceeding three months.

Destroying the Beacons or Buoys.

Penalty, recovery and application.

VII. And be it enacted, That this Act shall continue and be in force until the first day of April, which will be in the year of our Lord one thousand eight hundred and fifty.

Limitation.

CAP. XXIV.

An Act to alter the times for holding the Terms of the Inferior Courts of Common Pleas and General Sessions of the Peace for the County of Sunbury.

Passed 19th March 1841.

‘WHEREAS the times of holding the Terms of the Inferior Court of Common Pleas and General Sessions of the Peace for the County of Sunbury, have been found inconvenient; for remedy whereof,’

Preamble.

I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and after the passing of this Act, the Terms of the said Inferior Courts of Common Pleas and General Sessions of the Peace heretofore held on the third Tuesday in January, fourth Tuesday in March, third Tuesday in June and October respectively in each and every year, shall hereafter be holden on the second Tuesday in January, third Tuesday in March, June and October respectively in each and every year, any law, usage or custom to the contrary in any wise notwithstanding.

Terms altered to the second Tuesday in January, third Tuesday in March, June and October.

II. And be it further enacted, That no suit, process or proceeding instituted or commenced before the passing of this Act, shall abate or be discontinued by reason of the altering of the times of holding the said Terms respectively, but all actions, processes, suits and proceedings shall be carried on and continued to final judgment in the same manner as if this Act had not passed, any thing herein contained to the contrary notwithstanding.

No process to abate by reason of the alteration.

CAP. XXV.

An Act to authorize the Justices of the Peace for the County of Northumberland to erect a Lock up House in the Town of Chatham, in the said County.

Passed 19th March 1841.

‘WHEREAS from the great increase of the Town of Chatham, in the County of Northumberland, and in consequence of the distance therefrom to the County Gaol, and the difficulty of crossing the River Miramichi thereto

Preamble.

‘ at certain seasons of the year, great inconvenience is often times experienced
 ‘ by the Magistrates residing in the said Town for the want of a Lock up House
 ‘ or place of safe keeping, in which to confine persons committing breaches of
 ‘ the Peace and other minor offences; in remedy whereof,’

Justices in Sessions authorized to purchase a piece of Land in Chatham, contract for the erection of a Lock-up-House thereon,

and assess a specified part of the Parish for the expense, not exceeding £250.

I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the Justices of the Peace for the County of Northumberland or the major part of them, may and they are hereby authorized and required at their first General Sessions of the Peace hereafter to be holden, to purchase a piece of ground in the Town of Chatham, on which to erect a Lock up House, and to contract and agree with able and sufficient workmen for the erection and finishing of a suitable Lock up House on the said piece of ground in the Town of Chatham, and the said Justices or the major part of them at any General Sessions of the Peace, are hereby authorized and required to make a rate and assessment for a sum not exceeding two hundred and fifty pounds to defray the expense of purchasing the said land, and erecting and finishing the said Lock up House; such assessment to be levied and collected in such proportions and in such manner on the Inhabitants of such County, residing on the front Lots situate between the lower side of Clark’s Cove and the upper side of Saint Andrew’s Church, in the Parish of Chatham in the said County, including all the Inhabitants of the Town or Village of Chatham, living within the above named limits, whether residing in the front or rear of the said Town, as the said Justices or the major part of them may direct; which sum subject to the limits aforesaid shall be assessed, levied and paid agreeably to any Act now or which may hereafter be in force for the assessing, levying and collecting County Rates.

Justices authorized to pay £35 per annum out of the County funds, or by Assessment if there be no funds, for the maintenance of the Lock-up-House.

II. And be it further enacted, That when and so soon as the said Lock up House shall be erected, completed and fit for use, it shall and may be lawful for the Justices of the Peace for the said County, and they are hereby required annually at the first Court of General Sessions of the Peace for the year, by order of the said Court upon the County Treasurer, to cause to be paid out of the County funds a sum not exceeding thirty five pounds towards the payment of the keeper and the support and maintenance of the said Lock up House, if there be County funds to meet such payment, if not, the same to be annually assessed, levied and collected off the Inhabitants of the County in the same manner as other County assessments are assessed, levied and collected.

Regulations for the Lock-up-House to be made by the Justices in Sessions.

III. And be it further enacted, That the said Justices of the Peace for the said County of Northumberland, shall and they are hereby authorized and required at any General Sessions of the Peace to be holden in the said County, to make such rules and regulations for the custody and management of the said Lock up House as may from time to time be necessary and expedient.

Persons charged with any crime or misdemeanor may be committed to the Lock-up-House.

IV. And be it further enacted, That it shall and may be lawful for the High Sheriff of the said County of Northumberland or any other Officer who shall have arrested or have in legal custody any person or persons charged with any crime or misdemeanor whatsoever, for which such person shall be liable to be committed to the Gaol of the said County, to commit such person or persons to the said Lock up House until he or they can be conveyed to the County Gaol: Provided always, that no such person or persons shall be longer kept or detained in the said Lock up House than thirty six hours from the time of his or their commitment thereto, except when the River is in an impassable state during the spring and fall from the ice, and then only till the same can be crossed with safety.

Proviso.

Convicted Seamen may be committed to the Lock-up-House,

V. And be it further enacted, That it shall and may be lawful for any Justice or Justices of the Peace for the said County of Northumberland, before whom
 any

any Mariner or Seaman shall be hereafter convicted under and by virtue of any Laws now in force or that may be hereafter in force in this Province for the regulation of Seamen, to commit such Mariner or Seaman to the said Lock up House instead of the County Gaol, if such Justice shall find it necessary and advisable so to do: Provided always, that no such Mariner or Seaman shall remain or be longer confined in the said Lock up House than forty eight hours, and if such Seaman or Mariner be subject and liable to longer confinement, then to be conveyed to the County Gaol, and all charges to be defrayed by the Ship Master or person so confining said Mariner or Seaman.

but not detained
therein more than
48 hours.

CAP. XXVI.

An Act relating to the Office of Coroner in this Province.

Passed 19th March 1841.

I. **BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and after the passing of this Act, whenever upon the summoning or holding of any Coroner's Inquest, it shall appear to the Coroner that the deceased person was attended at his death or during his last illness, by any legally qualified Medical Practitioner, it shall be lawful for the Coroner to issue his order for the attendance of such Practitioner as a witness at such Inquest: and if it shall appear to the Coroner that the deceased person was not attended at or immediately before his death by any legally qualified Medical Practitioner, it shall be lawful for the Coroner to issue such order for the attendance of any legally qualified Medical Practitioner, being at the time in actual practice in or near the place where the death has happened; and it shall be lawful for the Coroner either in his order for the attendance of the Medical witness, or at any time between the issuing of such order and the termination of the Inquest, to direct the performance of a *Post Mortem* examination, with or without an analysis of the contents of the stomach or intestines, by the Medical witness or witnesses, who may be summoned to attend to any Inquest: Provided, that if any person shall state upon oath before the Coroner, that in his or her belief the death of the deceased individual was caused, partly or entirely by the improper or negligent treatment of any Medical Practitioner or other person, such Medical Practitioner or other person shall not be allowed to perform or assist at the *Post Mortem* examination of the deceased.

Coroner may order
the attendance of
a Medical Practi-
tioner upon any
Inquest;

May also direct
the performance
of a *Post Mortem*
examination.

Medical Practi-
tioner in atten-
dance on deceased
not to perform or
assist at the exam-
ination in certain
cases.

II. And be it further enacted, That whenever it shall appear to the greater number of Jurymen sitting at any Coroner's Inquest, that the cause of death has not been satisfactorily explained by the evidence of the Medical Practitioner, or other witness or witnesses who may be examined in the first instance, such greater number of the Jurymen are hereby authorized and empowered to name to the Coroner in writing, any other legally qualified Medical Practitioner or Practitioners, as a witness or witnesses, and for the performance of a *Post Mortem* examination, with or without an analysis of the contents of the stomach or intestines, whether such an examination has been performed before or not: and if the Coroner, having been thereunto required, shall refuse to issue such order, he shall be deemed guilty of a misdemeanor, and shall be punishable in like manner as if the same was a misdemeanor at Common Law.

Jurymen may
name any other
Medical Practi-
tioner as a wit-
ness, and for the
performance of a
Post Mortem ex-
amination.

III. And be it further enacted, That when any legally qualified Medical Practitioner has attended upon any Coroner's Inquest, in obedience to any such order as aforesaid of the Coroner, the said Practitioner shall for such attendance be entitled

Remuneration
of Medical Prac-
titioners,

payable from the
County funds.

entitled to receive such remuneration or fee as is mentioned in the Table marked A in the Schedule hereunto annexed, which shall be paid to him out of the Public Funds of the County or City and County in which such Inquest was taken, by the Treasurer of such County or City and County, on the order of the Coroner to him for that purpose directed.

No fee to be given
for any Post Mor-
tem examination
instituted without
previous direction.

IV. Provided nevertheless and be it further enacted, That no order of payment shall be given, or fee or remuneration paid to any Medical Practitioner for the performance of any *Post Mortem* examination which may be instituted without the previous direction of the Coroner.

Medical Officer in
attendance on any
public institution
not entitled to any
fee at inquests on
persons dying
in the institution.

V. Provided also and be it further enacted, That when any Inquest shall be holden on the body of any deceased person who has died in any Public Hospital or Infirmary or any building or place belonging thereto, or used for the reception of the patients thereof, or who has died in any County or other Lunatic Asylum, Alms House and Work House, or in any Public Infirmary or other Public Medical Institution, whether the same be supported by endowments or by voluntary subscriptions, then and in such case nothing herein contained shall be construed to entitle the Medical Officer, whose duty it may have been to attend the deceased person as a Medical Officer of such Institution as aforesaid, to the fees or remuneration herein provided, except for a *Post Mortem* examination and attending to give evidence thereon, if he shall have been required by the Coroner to perform the same agreeably to the provisions of this Act.

Exception.

Medical Officer
being served with
order to attend at
any Inquest and
neglecting,

VI. And be it further enacted, That when any order for the attendance of any Medical Practitioner as aforesaid shall have been personally served upon such Practitioner, or where any such order not personally served shall have been received by any Medical Practitioner in sufficient time for him to have obeyed any such order, and in every case where any Medical Practitioner has not obeyed such order, he shall for such neglect or disobedience forfeit the sum of five pounds, upon complaint thereof made by the Coroner or any two of the Jury, before any two Justices having jurisdiction in the Parish or place where the Inquest under which the order issued was held, or in the Parish where such Medical Practitioner resides; provided such complaint be made within one month from the time of holding such Inquest, and such two Justices are hereby required upon such complaint to proceed to the hearing and adjudication of such complaint; and if such Medical Practitioner shall not shew to the said Justices a good and sufficient cause for not having obeyed such order, to enforce the said penalty by distress and sale of the offender's goods, in the same manner as they are empowered to proceed by the Act of Assembly, intituled "An Act to facilitate summary proceedings before Justices of the Peace, and the execution of Warrants by Constables."

Penalty.

Complaint to be
made within one
month, and if
cause be not
shewn penalty to
be enforced.

After Inquest a
permissive War-
rant for burial to
be granted.

VII. And be it enacted, That immediately after any Coroner's Inquest shall be completed it shall be the duty of the Coroner to grant a permissive Warrant for the burial of the deceased, which Warrant shall be delivered to any of the relatives or friends of the deceased who may be present and shall take charge of the burial, and if none be present, or no one undertake the duty and the dead body shall be within the City of Saint John, or within five miles of the Alms House of the Towns of Portland, Fredericton, Saint Andrews or any other Town or Parish having an established Alms House within the same, it shall be sent to the dead House of such establishment under the charge of the Constable attending at the taking of the Inquest, and delivered to the keeper thereof, accompanied by a permissive Warrant to be by the said Constable delivered to or left at the residence of the Overseers of the Poor of the Parish where the body may be found, or to any one of them,

How burial to be
effected when no
friends of the de-
ceased appear to
take charge.

them, whose duty it shall be to bury the deceased in the same manner as if the deceased had died a pauper, unless otherwise directed by the Coroner; should the distance be beyond that limit, the Warrant shall direct the Constable to bury the body in a decent manner, using proper economy, and render an account of the costs and charges thereof to the Coroner, which with the Constables fees for burying the same, shall be paid to the said Constable by the Overseers of the Poor of the Parish, wherein the body may have been found, on the order of the Coroner, who shall state that the charge is reasonable and proper.

VIII. And be it enacted, That whenever it may appear to the Coroner from circumstances that the holding of an Inquest is not necessary, or when any two Justices of the Peace of any County or City and County, in which any person may have died under circumstances rendering it doubtful as to the necessity of taking an Inquest do certify to the Coroner, that he would be justified in granting a permissive Warrant for burial without holding an inquisition, the Coroner may forthwith issue his Warrant for that purpose in the manner hereinbefore mentioned, without proceeding to take an inquisition; provided that nothing in this Act contained shall be construed to prevent any Coroner from taking an inquisition in any case in which he may deem it necessary.

A Permissive Warrant for burial may be granted in certain cases without an Inquest.

IX. And be it further enacted, That for every Inquest which a Coroner shall take on view of the body of any person who may die or be found dead within his County or City and County, and for all proceedings consequent thereon, such Coroner and other officers and persons for taking and attending such Inquest shall receive and be paid the fees mentioned in the Table marked (A) in the Schedule hereunto annexed, which shall be paid to such Coroner and other officers and persons out of the Public Funds of the County or City and County in which such Inquest shall be held, and that the Coroner out of the same fund shall be repaid all monies necessarily advanced or paid by him in the taking such Inquest; Provided always before any such fees or charges shall be paid, the Coroner shall make up an account of the same, and shall present such account at any General Session of the Peace for the County or City and County of which he is Coroner; the Justices of which General Sessions shall at such Sessions pass an order for the payment of the same.

Fees for taking Inquests to be as in table marked A.

Coroner to make up an account,

X. And be it enacted, That in the event of the Coroner being absent from the District or unable to attend from sickness or other justifiable cause, that any two of Her Majesty's Justices of the Peace for the County or City and County are hereby authorized and required to act in the place and stead of such Coroner, so far as the provisions of this Act apply to his judicial capacity, and entitled to the same fees as hereinafter provided for the Coroner.

In the absence of the Coroner any two Justices of the Peace are authorized to act.

TABLE A.

To every Coroner for taking and returning an inquisition, swearing Jurors, binding Witnesses by recognizance and issuing all Subpœnas and Warrants, consequent thereon the fee or remuneration shall be £2 0 0

Fee Table—A.

Travel from his residence to the place where the body may be, going and coming per mile, 0 0 6

Printer's account for printing blank forms of Inquisition, Recognizances, Subpœnas, &c. to be repaid the Coroner,

To the Surgeon or Physician on *Post Mortem* examinations, viz:

To every legally qualified Medical Practitioner for attending to give evidence under the provisions of this Act at any Coroner's Inquest whereat no *Post Mortem* examination has been made by such Practitioner, the fee or remuneration shall be

1 0 0
For

For making the *Post Mortem* examination of the deceased either with or without analysis of the contents of the stomach or intestines, and for attending to give evidence thereon, the fee or remuneration shall be

To the Jury for attending and making inquisition, each Juryman,	2	0	0
To the Constable for summoning the Jury on Inquest,	0	2	6
For attendance,	0	2	6
Serving any order or permissive Warrant or Subpœna, each	0	1	0
If required to attend at the burial,	0	2	6

CAP. XXVII.

An Act to authorize the appointment of Commissioners to lay out a Street or Highway through the Town of Chatham, and to establish and regulate Public Landings in the said Town.

Passed 19th March 1841.

Preamble.

‘ **W**HEREAS from a recent Survey of the Street or Highway through the Town of Chatham, it appears that the same in many cases departs wholly from the original record thereof, and that buildings have been erected on the recorded line, the removal of which would cause much inconvenience, annoyance and expence: And whereas the Commissioners of Highways have experienced great difficulty in preventing encumbrances thereon, from the bounds of the said Street or Highway not being properly defined: And whereas from the buildings and erections in the said Town, a sufficient space is not left to enable the Commissioners of Highways to lay out and record a Street or Highway through the said Town of the width of four rods as by Law is required: And whereas great inconvenience has arisen to the public in consequence of the several Landings in the said Town being obstructed; for remedy whereof,’

Commissioners to be appointed to lay out a Street.

I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That it shall and may be lawful for the Lieutenant Governor to appoint three or more fit persons Commissioners to lay out a Street or Public Highway through the Town of Chatham, commencing at Coulson’s Slip, so called, and terminating at Saint Andrew’s Church.

Directions for laying out the Streets.

II. And be it further enacted, That it shall be the duty of the said Commissioners in laying out the said Street or Highway to adhere to the line of road as at present used through the said Town and commonly called Water Street, and to make the same as wide and strait as practicable, not in any case interfering with buildings or the private rights of individuals.

A Return for record to be made to the Clerk of the Peace.

III. And be it further enacted, That the said Commissioners shall forthwith after laying out the said Street or Highway make a return thereof in writing under their hands into the Office of the Clerk of the Peace for the County of Northumberland, who shall enter the same in the book kept for the purpose of recording Roads or Highways; which return shall distinctly designate the marks, bounds and lines by which the said Street or Highway may be known and ascertained; and whatsoever the said Commissioners shall do according to the powers given them in this Act being so entered shall be valid and good to all intents and purposes whatsoever, and the said Street or Highway when so laid out and entered as aforesaid, shall be deemed and used as a public Street or Highway for the use and benefit of the public, in as ample and full a manner as if the same had been laid out and recorded under and pursuant to the provisions and regulations of an Act made and passed in the fifth year of the Reign of His late Majesty King William the Fourth, intituled “An Act to repeal all the Laws now in force for regulating, laying out and repairing Highways and Roads, and for appointing Commissioners and Surveyors of Highways in the several Towns and Parishes

Acts of Commissioners declared valid.

5 W. 4, C. 2.

or

in this Province, and to make more effectual provision for the same," or under or pursuant to any Act of Assembly now in force for establishing and regulating Highways in this Province.

IV. And be it enacted, That the Commissioners to be appointed under the provisions of this Act or the major part of them are hereby authorized and empowered to lay out or define such of the Landings in the Parish or Town of Chatham as shall be public Landings: Provided always, that they are not in any case authorized under the provisions of this Act to interfere with the private rights of individuals without the written consent of the proprietors.

Commissioners authorized to lay out the public landings.

Proviso for private rights.

V. And be it further enacted, That all such Landings as the said Commissioners or the major part of them shall lay out or define to be public under the provisions of this Act, such Commissioners or the major part of them shall cause to be recorded with the Clerk of the Peace for the County, which record when so made shall be good evidence of such being public Landings in all Courts of Law in this Province.

Record of Landings to be made.

VI. And be it further enacted, That when and so soon as the said Commissioners or the major part of them shall have so laid out and defined the public Slips and Landings in the Town or Parish of Chatham, as directed in and by the provisions of this Act, and shall have caused the same to be recorded in manner aforesaid, such Slips and public Landings shall thereafter be considered and taken to be part of the Queen's Highway and be subject to all the rules and regulations that the other Highways or public Roads and Streets of the said Parish are subject to, and all persons obstructing the same shall be subject to the like pains and penalties therefor, that any person or persons is, are, or may be subject to by any Laws now or that shall hereafter be in force for preventing the obstruction of the Highways and public Roads of the said Parish or County, and be recovered and applied in like manner.

Slips and Landings so laid out and recorded to be considered as parts of the Queen's Highway.

CAP. XXVIII.

An Act further to amend the Law relating to Bastardy.

Passed 19th March 1841.

6 WHEREAS it is considered necessary to amend the Law relating to 'Bastardy, in the following particulars;

I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That when application shall be made to any Court of General Sessions of the Peace, in any County in this Province, for an Order upon any person charged with being the putative father of a bastard child, chargeable on any Parish in such County for its maintenance and support, such Court shall proceed to hear evidence therein; and if it shall be satisfied, after hearing the parties, that the person so charged is really and in truth the father of such child, it shall make such Order upon such person in that respect, as to such Court shall appear to be just and reasonable under all the circumstances of the case; Provided always, that if such Order be made upon the evidence of the mother of such bastard child, the same shall be corroborated in some material particular by other testimony, to the satisfaction of such Court, where the Court may deem such corroborative testimony necessary: Provided also, that such Order shall in no case exceed the actual expense incurred or to be incurred for the maintenance and support of such bastard child, and the expenses incurred in the apprehension and conviction of such reputed father, while so chargeable, and shall continue in force only until such child shall attain the age of seven years, if it so long live: And provided also, that no such Order shall be made by such Court until after such child becomes chargeable.

Court of Sessions to hear evidence in charges against putative fathers, and make such orders as may appear reasonable.

Corroborative testimony may be required.

Order not to exceed actual expenses, nor to be made until child become chargeable.

II.

Court may put
off the making an
order and require
party to enter into
recognizance.

II. And be it enacted, That such Court shall have power to put off the consideration and making of any such Order from time to time as may be required, either by reason of such child not being born or the absence of testimony; and thereupon the person so charged shall enter into the like recognizance as is provided in the fourth section of an Act made and passed in the second year of the Reign of Her present Majesty Queen Victoria, intituled "An Act to amend the Law relating to Bastardy."

CAP. XXIX.

An Act to extend the provisions of the Act for the increase of the Capital Stock of the Central Bank of New Brunswick.

Passed 19th March 1841.

Preamble.
6 W. 4, C. 58.

WHEREAS by the second section of an Act made and passed in the sixth year of the Reign of His late Majesty King William the Fourth, intituled "An Act to increase the Capital Stock of the Central Bank of New Brunswick, and to amend the Act incorporating the same," it is enacted, That no sale of such increased Stock shall be made after the period of five years from the passing of the said Act: And whereas there now remains the sum of fifteen thousand pounds of such increased Capital Stock unsold, and it appearing from the Petition from the President, Directors and Company of the Central Bank that it would not at this time be advisable to dispose of the said Stock so remaining unsold;

Term for sale of
residue of increas-
ed stock extended.

Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That the term for the sale of the residue of the said increased Stock, amounting to the sum of fifteen thousand pounds, shall be and the same is hereby extended to a further period of five years, and that the President and Directors of the said Bank are hereby authorized and empowered to sell and dispose of the same at such time and times as they may deem expedient, giving at least fifty days notice in the Royal Gazette of the time of such sale, stating in such notice the amount of the increased Stock it is intended to sell: Provided that no such sale shall take place for a less sum than five thousand pounds at any one time, nor after the said period of five years from the passing of this Act shall have expired.

Proviso.

CAP. XXX.

An Act further to amend the Act to encourage the establishment of Banks of Savings in this Province.

Passed 19th March 1841.

Inspectors of
Savings Banks
may be appointed,

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and after the passing of this Act, His Excellency the Lieutenant Governor or Commander in Chief for the time being, by and with the advice of Her Majesty's Executive Council, shall have full power and authority to appoint from time to time, and at any time, two or more persons to examine and inspect the state and condition of the several Banks relating to Savings in this Province, and to report thereon to His Excellency the Lieutenant Governor.

to report to the
Lieutenant Go-
vernor.

CAP. XXXI.

An Act to incorporate the Westmorland Mining Company.

Passed 19th March 1841.

6 **W**HEREAS the efficient opening and working of Coal Mines in the Parish of Dorchester, in the County of Westmorland, will be highly advantageous to the Province : And whereas the amount of capital necessary to be invested in such an undertaking renders it essential that the Company engaged therein should be incorporated ;

Preamble.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That John Alexander, Thomas Keillor, John Hickman and Silas C. Charters, their Associates, Successors and Assigns, shall be and they are hereby erected into a Company, and declared to be a body politic and corporate, by the name of *The Westmorland Mining Company*, and by that name shall have all the general powers and privileges made incident to a Corporation by Act of Assembly of this Province, for the purpose of opening and working of Coal Mines in the Parish of Dorchester, in the County of Westmorland, and establishing all necessary works therewith connected, and for the convenient carrying on and managing the same.

Company incorporated.

II. And be it enacted, That the first meeting of the said Corporation shall be held at Dorchester, in the County of Westmorland, and shall be called by John Alexander, or in case of his death, neglect or refusal, by any two of the said Company, by giving at least twenty days notice in the Royal Gazette published in this Province, previous to such meeting.

First Meeting how to be called and where held.

III. And be it enacted, That the Capital Stock of the said Corporation shall consist of the sum of twenty five thousand pounds, to be paid in such money as shall at the time of the several payments hereinafter expressed, be a legal tender in this Province ; twenty five per centum of the said Capital Stock to be paid in before the said Corporation shall be entitled to purchase any property, real or personal, or incur any debts ; and the remainder of the said Stock to be paid at such time and times and in such parts or portions as the business of the Company shall from time to time require ; the whole amount of such Capital Stock to be divided into one thousand Shares of twenty five pounds each.

Amount of Capital Stock.

IV. And be it enacted, That the Joint Stock and Property of the Company shall alone be liable for the debts and engagements of the Company.

Liabilities for debts.

V. And be it enacted, That the said Company shall have power to levy and collect assessments upon the shares from time to time, of such sums of money as may be deemed necessary for carrying on the business of the said Company, and whenever any assessment shall be made by the Stockholders of the Company, it shall be the duty of the Treasurer to give notice thereof in a newspaper printed and published in this Province, requiring payment of the same within thirty days, and if any Stockholders shall neglect or refuse to pay to the Treasurer the amount of such assessment upon his Shares at the time prescribed, it shall be the duty of the Treasurer to advertise all such delinquent Shares for sale at Public Auction, giving at least thirty days notice of the time and place of such sale ; and all shares upon which the assessment is not then paid with interest from the time such assessment became due, shall be sold to the highest bidder, and after retaining the amount of such assessment and interest due on each share and the expense of advertising and selling, the residue (if any) shall be paid over to the former owner, and a new certificate or certificates of the shares so sold shall be made out and delivered to the purchaser ; Provided always, that no assessment

Company may assess shares when necessary.

Shares on which the assessment is not paid to be sold.

Assessments to be made by vote of the majority.

shall be made except by a vote of the Stockholders and a majority of all the shares.

Act to be void if
25 per cent. on
Capital be not paid
in within 3 years.

VI. And be it enacted, That unless twenty five per centum of the said Capital Stock shall be actually paid in for the purposes of the said Corporation, and a certificate of such payment made and verified on oath by the Directors of the said Corporation or a majority of them, (which oath any Justice is hereby authorized to administer,) shall be filed in the Office of the Secretary of the Province before the expiration of three years after the passing of this Act, the operation of this Act shall cease, and the existence of the said Corporation be terminated at the expiration of the said three years.

CAP. XXXII.

An Act to incorporate sundry persons by the name of *The Atlantic Assurance Company*.

Passed 19th March 1841.

6 WHEREAS the Trade of this Province in Shipping and Navigation has 'of late greatly increased, and it is expedient for the protection and 'encouragement thereof, to establish another Marine Assurance Company at the 'City of Saint John ;'

Company incorpo-
rated.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That John Ward, William H. Street, John Kinnear, Charles Ward, L. Donaldson, Thomas Barlow, T. L. Nicholson, James T. Hanford, E. D. W. Ratchford, John Duncan, A. S. Demill, John Wishart, John Ward, Junior, William M'Cannon, and William Leavitt, their associates, successors or assigns, be and they are hereby declared to be a body politic and corporate, by the name of *The Atlantic Assurance Company*, and that they shall have all the powers and privileges made incident to a Corporation by Act of Assembly in this Province.

Capital to be
£50,000, payable
as herein specified.

II. And be it enacted, That the Capital or Joint Stock of the said Corporation shall consist of the sum of fifty thousand pounds, to be paid in such money as shall at the time of the several payments hereinafter expressed be a legal tender in this Province ; five thousand pounds, being one tenth part thereof, to be paid within ninety days after the passing of this Act ; five thousand pounds, one other tenth part of the said Capital Stock within six calendar months after the expiration of the said ninety days ; and the remaining eight tenths to be paid at such time or times, and in such parts or portions as the Directors for the time being of the said Corporation, or a majority of them, shall from time to time think necessary ; the whole amount of the said Capital Stock to be divided into Shares of twenty five pounds each, making in the whole two thousand shares.

Number of shares
to be held limited.

III. And be it enacted, That no person or persons whatsoever, during the sixty days next after the passing of this Act, shall be entitled to hold or subscribe for more than fifty shares of the said Capital Stock ; and if the whole of the same shall not have been subscribed for within the said sixty days, that then it shall be lawful for any Stockholder or Stockholders to increase his, her or their subscriptions to as many shares as he, she or they may think proper.

Subscribers to
stock to make a
deposit previous to
the election of
Directors.

IV. And be it enacted, That all the subscribers for Stock or Shares in the said Corporation shall, previous to the day of the first general meeting of the members and stockholders of the said Corporation to be called as hereafter mentioned, pay into the hands of such person or persons as the persons mentioned by name in and by the first section of this Act, or the major part of them, or in case of the death of any of them, the major part of the survivors, may direct, a deposit

deposit of two and one half per centum on the amount of Capital Stock of the said Corporation for which they shall have subscribed ; and the said deposit shall be taken and allowed to every subscriber who shall pay the same, as part and out of the first one tenth part of the Capital Stock required to be paid in under and by virtue of this Act ; and every subscriber who shall neglect or refuse to pay in the said deposit, shall for every share in respect of which he or she shall neglect or refuse to pay in, be deemed a defaulter, and the said share or shares shall be forfeited to the Corporation ; and no subscriber shall upon any pretence whatever vote at the said first general meeting in respect of any share or shares upon which he or she shall not have paid the said deposit.

V. And be it enacted, That every stockholder or subscriber shall, within the said ninety days after the passing of this Act, pay into the hands of the Directors for the time being of the said Corporation, or into the hands of such person or persons as they or a majority of them shall appoint, one tenth part on the whole amount of his or her share or shares, deducting the deposit mentioned in the fourth section of this Act, and shall give to the President and Directors herein-after mentioned, good and satisfactory security, either by Bond and Mortgage on Real Estate or otherwise, at the option and to the satisfaction of the said President and Directors, or a majority of them, renewable as often as the said President and Directors or a majority of them shall require ; that one other tenth part on the whole of his or her shares shall be paid to the said President and Directors for the time being of the said Corporation, within six calendar months after the expiration of the said ninety days ; and that the residue of the whole amount of his or her share or shares shall be paid to the said President and Directors for the time being of the said Corporation, in such parts and portions and in such manner as to them the said President and Directors, or a majority of them, shall seem advisable ; provided that the amount so to be called in shall not exceed at any one time twenty per centum on the whole amount of the Capital Stock of the said Corporation belonging to any individual, and that not less than thirty days notice of such payment being required shall be given in one or more of the newspapers published in the said City of Saint John : Provided always, that the said Corporation shall not go into operation until the said sum of five thousand pounds shall have been paid and shall then be in the vault or office of the said Corporation, or in one or more of the incorporated Banks in the said City of Saint John ; and that as soon as the said sum of five thousand pounds shall have been paid, the President shall give notice thereof to the Secretary of the Province for the time being, for the information of His Excellency the Lieutenant Governor or Commander in Chief for the time being, who is hereby authorized, by and with the advice of Her Majesty's Executive Council, to appoint three Commissioners, not being stockholders, whose duty it shall be to examine and count the money actually in the vault or office or in one or more of the Banks as aforesaid, and to ascertain by the oaths of a majority of the Directors that one tenth part of the amount of the Capital Stock of the said Corporation has been paid in by the stockholders towards the payment of their respective shares, and not for any other purpose.

Ten per cent. on the stock to be paid within ninety days, and security given for the remainder.

Company not to go into operation until £5000 be paid in, to be ascertained by Commissioners.

VI. And be it enacted, That when five hundred shares of the Capital Stock of the said Corporation shall have been subscribed for, a General Meeting of the Members and Stockholders of the said Corporation shall be called, to take place in the City of Saint John, by notice in one or more of the public newspapers published in the said City, fourteen days at least previous to the day of such meeting ; which notice, John Ward, Junior, or in case of his death, neglect or refusal,

When 500 shares are subscribed, a meeting to be called to establish Bye Laws and elect Directors.

Directors to choose
a President and
other Officers, &c.

refusal, any other one of the persons mentioned in the first section of this Act is hereby authorized and empowered to give, for the purpose of making, ordaining and establishing such Bye Laws, Ordinances and Regulations for the good order and management of the affairs of the said Corporation, as they shall deem necessary, and also for the purpose of choosing nine Directors, being members and stockholders of the said Corporation, under and in pursuance of the Rules and Regulations hereinafter made; which Directors shall, as soon thereafter as may be convenient, meet together and choose out of their number a President, and shall also appoint at the same time or at any future meeting, a Secretary and so many and such other officers, clerks, servants and agents for carrying on the said business as they shall deem requisite, and shall at the same time or at any future meeting, accept and receive what remains due of the first instalment of the ten per centum on each subscriber or stockholder's share or subscription, and shall take from each subscriber such securities for the remainder of their subscriptions as is hereinbefore pointed out, and shall commence the operations of the said Company, subject to the Rules and Regulations as hereinbefore provided, and shall continue and serve to be Directors until the first annual meeting for the choice of Directors, as is hereinafter made and provided, or until others are chosen in their room; provided that the Laws and Ordinances at any time made shall be in no wise contrary or repugnant to the Laws of this Province.

Annual meeting
for choosing Di-
rectors to be held
on the first Mon-
day in July.

VII. And be it enacted, That there shall be a General Annual Meeting of the Stockholders and Members of the said Corporation held on the first Monday in July in each and every year after the present year one thousand eight hundred and forty one, at the City of Saint John; at which annual meeting there shall be chosen by a majority of the stockholders and members of the said Corporation then present or represented by proxy, out of all the stockholders and members of the said Corporation, nine Directors, who shall continue in office for one year, or until others are chosen in their room; in the choice of which Directors the stockholders and members of the said Corporation shall vote according to the rule hereinafter mentioned, and the Directors when chosen, or the majority of them, shall at their first meeting after their election choose out of their number a President, who is to be chosen by a majority of votes; Provided always, that five of the Directors in office shall be re-elected, of whom the President shall always be one.

Directors to exe-
cute all things
contained in the
preceding sections
and manage the
whole affairs of
the Company.

VIII. And be it enacted, That the Directors for the time being of the said Corporation shall have power to do and execute all the matters and things contained in the preceding Sections of this Act, as far as the same may be left unexecuted by the Directors therein mentioned, and that they shall manage the whole concerns of the said Corporation, agreeably to this Act of Incorporation and such Bye Laws, Rules and Regulations as the Stockholders and Members thereof may from time to time establish; and also do and execute all other matters and things that may be necessary for the benefit of the said Corporation; and also shall have power to appoint and to remove at pleasure a Secretary and such other Officers, Clerks and Agents as they or the major part of them shall think necessary for executing the business of the said Corporation; and shall allow the said Secretary, Officers, Clerks, Agents and servants such compensation for their respective services, as to them the said Directors shall appear reasonable and proper; all which, together with the expenses of buildings, house or office rent, and all other contingencies, shall be defrayed out of the funds of the Corporation.

Board of Directors
for business,

IX. And be it enacted, That not less than three Directors shall constitute a Board for the transaction of business, of which the President shall always be one, except

except in cases of sickness or necessary absence, in which case the Directors present may choose one of their Board as Chairman for the time being; that all questions relating to any business to be transacted at the Board shall be decided by a majority of the votes of Directors then present, and that no Director shall have more than one vote, except the President or Chairman so chosen as aforesaid, who shall vote at the Board as a Director and shall also have a casting vote in all questions when the votes shall happen to be equal.

X. And be it enacted, That no Director shall be entitled to any salary or emolument for his services, but that the Stockholders of the said Corporation may make such compensation to the President as to them shall appear reasonable.

No Director to have a salary, but the stockholders may compensate the President.

XI. And be it enacted, That every person hereafter to be appointed Secretary to the said Corporation shall, before he enters upon the duties of his office, give a Bond to the said Corporation, with two or more sureties to be approved of by the Directors, in a sum not less than five thousand pounds, with a condition for his good and faithful behaviour in the said office of Secretary.

Secretary to give security.

XII. And be it enacted, That no person shall be eligible for a Director unless such person is a Stockholder and holds not less than twenty shares of the Capital Stock of the said Corporation in his own right.

Qualification of Directors.

XIII. And be it enacted, That on every occasion, when in conformity to the provisions of this Act, the votes of the Stockholders are to be given, every Stockholder may vote by proxy, provided such proxy be a Stockholder, and previous to voting, produce a sufficient authority in writing from his constituent or constituents so to act; that all questions be decided by a majority of the votes of all the Stockholders then present or represented by proxy; and that the number of votes which each shall be entitled to give shall be one vote for each share he or she may hold in the Capital Stock of the said Corporation, provided that no Stockholder shall hold at any one time more than five proxies, and provided also that no Stockholder be allowed to give more than one hundred votes upon any question, either in respect of his own shares or in respect of any proxy or proxies of which he may be the holder.

Votes of stockholders regulated.

XIV. And be it enacted, That if it should so happen that the Directors should not be chosen on the first Monday in July in any year as aforesaid, it shall and may be lawful to choose them on any other day, between the hours of eleven in the forenoon and four in the afternoon of the said day, upon giving fourteen days notice of the time and place of meeting, which shall take place in the said City of Saint John; and in case any Director shall disqualify himself by the sale, disposal or transfer of his shares or any of them, so as to reduce his interest in the said Capital Stock to less than twenty shares, or in case of the removal of a Director by the Stockholders for misconduct or mal-administration, his place shall be filled up by the said Stockholders, fourteen days notice of the time and place of meeting being first given; and in case of any vacancy among the said Directors by death, resignation or absence from the Province for three months, the said Directors for the time being shall and may, if they shall think fit, fill up the same by choosing one of the said Stockholders, and the person so chosen by the said Stockholders or by the said Directors shall serve until another be chosen in his room.

Should the Directors not be chosen on the first Monday in July, they may be elected on any other day, on notice.

Vacant Directorships to be filled up.

XV. And be it enacted, That as soon as the said first instalment of five thousand pounds shall have been actually paid, in manner and form as is hereinbefore provided, on account of the subscriptions to the said Capital Stock, notice thereof shall be given in one or more of the newspapers published in this Province, and the Directors shall commence with the business and operations of the said Corporation;

£5000 being paid in, notice to be given and business commenced.

Corporation ; Provided always, that no Insurance shall be effected until the said sum of five thousand pounds shall be actually paid in and received on account of the subscriptions to the Capital Stock of the said Corporation.

Corporation to make Marine Assurances and fix the Premiums.

Policies to be signed by the President and countersigned by the Secretary.

XVI. And be it enacted, That the said Corporation shall have power to make Marine Insurance on vessels, freights, monies, goods and effects, and in case of money lent upon bottomry and respondentia, and to fix the premiums and terms of payment ; and all Policies of Insurance by them made shall be subscribed by the President, or in case of his death, absence, sickness or inability, by any two of the Directors, and shall be countersigned by the Secretary of the said Corporation, or in case of the sickness, absence or inability of the said Secretary, then by such person as the Directors or a majority of them may appoint to act in his stead, and shall be binding and obligatory on the said Corporation ; and that all losses duly arising under any Policy so subscribed and countersigned, shall and may be adjusted and settled by the Board of Directors, and the same shall be binding on the said Corporation, and shall be paid to the assured within sixty days after such adjustment ; provided always that the said Directors shall not in any case make Insurance on any single risk to an amount exceeding five thousand pounds.

Half yearly dividends of the profits to be made.

XVII. And be it enacted, That it shall be the duty of the Directors of the said Corporation, or a quorum thereof, to make half yearly Dividends of all the profits, rents, premiums and interest of the said Corporation, or of so much thereof as they shall think fit, payable at such time and place as the said Directors or a quorum thereof shall appoint, of which they shall give thirty days previous notice in one or more of the newspapers published in this Province ; provided that the monies received and notes taken for premiums of risks which shall be undetermined and out standing at the time of making any such dividend, shall not be considered as part of the profits of the said Corporation ; and provided further, that if the amount of the Capital Stock paid as by this Act is required, shall be by any means reduced to a sum not less than ten thousand pounds, then and in such case no dividend or dividends whatsoever shall be declared or made until a sum equal to the said sum of ten thousand pounds shall be vested for the use of the said Corporation.

Corporation may hold real estate to the value of £5000.

Proviso.

XVIII. And be it enacted, That the said Corporation shall have power and authority to take, receive, hold, possess and enjoy any lands, tenements and real estate and rents to any amount not exceeding five thousand pounds ; provided nevertheless, that nothing herein contained shall prevent the said Corporation from taking or holding real estate or chattels to any amount whatsoever by mortgage taken as collateral security for the payment of any sum or sums advanced by or debts due to the said Corporation, or for security of the payment of the amount of such part of the Capital Stock of the said Corporation as shall at any time or times remain unpaid.

Capital to be invested in public funds or other securities.

XIX. And be it enacted, That the Capital Stock of the said Corporation, collected at each instalment and at the time hereinbefore provided, shall be by the said Directors invested and disposed of in such public funds, or to such public or corporate Bodies or Associations or joint Companies as may by the said Directors be deemed advisable ; and in the event of there being no public funds or public or corporate Bodies or Associations or joint Companies to which the same can be advantageously lent and disposed of, or in which the same can be safely invested, then it shall and may be lawful for the said Directors or a majority of them, to apply the same and dispose thereof by letting the same out at interest upon the security of lands, or upon other security, as they may think fit ; provided

provided always, that no monies of the said Corporation shall be put out at interest, nor any security taken for the same, either by Bond or Mortgage, or Bill or Note, or otherwise, for a shorter period than one year; provided also, that no loan of the Capital Stock at any time to be created under the provisions of this Act or any part thereof, shall be made directly or indirectly to any Director of the said Company, nor shall any such Director be a party to any security for any such loan, and no Stockholder to whom any part of the said Capital Stock shall have been lent, shall be eligible as a Director while the loan continues.

No loan to be made to a Director.

XX. And be it enacted, That it shall and may be lawful to and for the Directors of the said Corporation to use, apply and dispose of the monies arising in the course of the dealing of the said Corporation, and all the profits, rents, premiums and interest thereof, by letting the same out at interest, either upon the security of lands or other property, or otherwise, as the Directors thereof may think fit, any thing contained in this Act to the contrary notwithstanding; and the restrictions as to loans to the Directors, and to the eligibility as Directors of Stockholders to whom money may have been loaned, which are contained in the last preceding Section, with regard to the Capital Stock, shall extend and apply in all respects to any loans of money to be made by virtue of this present Section, in like manner as if the same were repeated here.

Investment of money arising in the course of dealings.

XXI. And be it enacted, That the said Corporation shall not directly or indirectly deal or trade in buying or selling any goods, wares or merchandize whatsoever; Provided nevertheless, that it shall be lawful for the said Corporation to take, receive, hold, possess and enjoy any ships, goods, merchandize or chattels whatsoever which shall have been abandoned to the said Corporation, by reason of any loss or damage having occurred to the same, and shall and may sell and dispose of the same at such time or times and in such manner as to the said Directors for the time being shall seem expedient.

Corporation not to trade, but may possess ships, &c. abandoned to them.

XXII. And be it enacted, That the shares or Capital Stock of the said Corporation shall be assignable or transferable according to such Rules and Regulations as may be by the Members and Stockholders established in that behalf, but no assignment or transfer shall be valid or effectual unless such assignment or transfer shall be entered and registered in a book to be kept by the Directors for that purpose, and in no case shall any fractional part of a Share be assignable or transferable, and that whenever any Stockholder shall transfer in manner aforesaid all his or her Stock or Shares in the said Corporation to any other person or persons whomsoever, such person shall cease to be a Member of the said Corporation, and the person or persons so purchasing shall become a Member of the said Corporation in his or her stead and be entitled to all the privileges and subject to all the liabilities as such.

Shares to be assignable.

XXIII. And be it enacted, That in case of any loss or losses taking place, which shall be equal to the Capital Stock of the said Corporation, and the President and Directors after knowing of such loss or losses taking place, shall make any further Policy of Assurance, they and their Estates jointly and severally shall be accountable for the amount of any and every loss which shall take place under such Policy or Policies so made.

Liability of Directors on Policies issued after losses to the amount of the whole Capital.

XXIV. And be it enacted, That the Joint Stock or property of the said Corporation shall be alone responsible for the debts and engagements of the said Corporation, and that no person or persons who shall or may have dealings with the said Corporation, shall on any pretence whatever have recourse against the separate property of any present or future member or members of the said Corporation or against their person or persons further than is in this Act provided.

Joint Stock to be alone responsible for the debts.

XXV.

Securities for the Capital may be renewed, and on refusal or delay the Directors may proceed against the owners or declare the shares forfeited.

XXV. And be it enacted, That the bonds and other securities of what nature or kind soever, taken for the payment of the second instalment and residue of the said Capital Stock as is hereinbefore directed, shall from time to time be renewed or changed, and other and further security or securities for the same be given as is provided in and by the fifth section of this Act, and in case of any refusal or delay to renew or change any such security or securities or to give and grant other and further security or securities therefor, to the satisfaction of the said Directors or a majority thereof, within thirty days after notice thereof being given, then and in such case it shall and may be lawful to and for the said Directors or a majority of them, to cause such proceedings both in law and equity, or either, as may be deemed requisite to be taken for the recovery of the amount of such several and respective securities, or it shall and may be lawful to and for the said Directors, or a majority of them, if they shall think fit, to declare the shares in the Capital Stock of the said Corporation for the amount of the residue of which such security or securities shall have been given, forfeited to the said Corporation, together with all deposits, instalments, interests, profits or dividends thereto belonging, and that such stock so forfeited shall be sold by public auction for and on account of the said Corporation, and the purchaser or purchasers thereof shall give such security or securities for the payment of the amount due to the said Corporation, on account of such forfeited shares, at the time of such forfeiture as is hereinbefore provided, and shall likewise be subject to all the provisions of this Act, any thing herein contained to the contrary thereof in any wise notwithstanding.

Books and papers to be open to the inspection of the Directors.

XXVI. And be it enacted, That the books, papers, correspondence and all other matters and things belonging to the said Corporation, shall at all times be subject to the inspection of the Directors or any of them, but no Stockholder, not a Director, shall inspect the account of any individual or corporate body with the said Corporation.

A statement of the affairs to be submitted at the Annual Meeting, and transmitted to the Provincial Secretary for the information of the Governor and the Legislature.

XXVII. And be it enacted, That the Directors shall at the general meeting to be holden on the first Monday in July in each and every year, lay before the Stockholders for their information, an exact and particular statement in triplicate, of the then state of the affairs and business of the said Corporation, agreeably to the several regulations of this Act, and such other rules and regulations as may by the Members and Stockholders of the said Corporation be made by virtue hereof, so as the same may contain a true account of the whole of the affairs of the said Corporation, which statement shall be signed by the Directors and attested on oath or affirmation by the Secretary, or in case of his absence, sickness or inability to attend, by such person or persons as the Directors or any quorum thereof may appoint to act in his stead, and shall be transmitted to the Secretary of the Province for the information of His Excellency the Lieutenant Governor or Commander in Chief for the time being, and the Legislature; Provided always, that the rendering such statement shall not extend to give any right to the Stockholders not being Directors to inspect the account of any individual or individuals with the said Corporation.

Joint Committee of the Council and Assembly to have access to the Books, &c.

XXVIII. And be it enacted, That any Joint Committee hereafter to be appointed by the Honorable the Legislative Council and the House of Assembly for the purpose of examining into the proceedings of the Corporation, shall, either during the Session or prorogation of the General Assembly have free access to all the Books and Accounts of the same.

Special Meetings may be called by proprietors of 1000 shares.

XXIX. And be it enacted, That any number of Stockholders not less than twenty, who together shall be proprietors of one thousand shares, shall have power at any time, by themselves or their proxies, to call a general meeting of the

the Stockholders for any purpose relating to the business of the said Corporation, other than a dissolution thereof, giving at least thirty days notice in two of the newspapers published in this Province, and specifying in such notice the time and place of such meeting, with the objects thereof; and the Directors, or any five of them, shall have the like power at any time, upon observing the like formalities, to call a general meeting as aforesaid.

XXX. And be it enacted, That any number of Stockholders not less than thirty, who together shall be proprietors of fifteen hundred shares in the Capital Stock of the said Corporation, shall have power at any time, by themselves or their proxies, to call a general meeting of the Stockholders for the purpose of taking into consideration the propriety of dissolving the said Corporation, giving at least three months previous notice in two or more of the newspapers published in this Province, and specifying in such notice the time and place of such meeting, with the object thereof; and should it be agreed upon at such meeting that the said Corporation should be dissolved, such Stockholders are hereby authorized and empowered to take all legal and necessary ways and means to dissolve the said Corporation; and upon such or any other dissolution of the said Corporation, the Directors then in office shall take immediate and effectual measures for closing the concerns of the said Corporation, and for dividing the capital and profits which may remain among the Stockholders in proportion to their respective shares.

Proprietors of 2000 shares may call a meeting to dissolve the Company.

XXXI. And be it enacted, That the Secretary of the said Corporation shall on the first Thursday in January in each and every year make a return in triplicate of the state of affairs of the said Corporation, as they existed at three of the clock in the afternoon of that day, and shall forthwith transmit the same to the Office of the Secretary of the Province; which Return shall specify the aggregate amount of the risks at that time taken by the said Corporation, the amount of losses incurred during the preceding year, the amount of Capital actually paid in and how the same has been invested and secured, also a particular statement of the manner in which the residue of the Capital has been secured, the amount of the dividends for the preceding year and when declared, together with the amount of surplus profits, if any, then belonging to the said Corporation, and how the same have been invested and secured, the amount of Real Estate owned by the said Corporation, together with a particular statement of all other affairs of the said Corporation; which Return shall be signed by the Secretary of the said Corporation, who shall make oath or affirmation before some Justice of the Peace for the City and County of Saint John to the truth of the said Return according to the best of his knowledge and belief; and the Secretary of the said Corporation shall also at the same time make a Return, under oath or affirmation, of the names of the Stockholders and the amount of Stock owned by each, and a majority of the Directors of the said Corporation shall certify and make oath or affirmation before the same Justice of the Peace that the Books of the said Corporation indicate the state of facts so returned by their Secretary, and that they have full confidence in the truth of the Return so made by him; and it shall be the duty of the Secretary of the Province annually to lay before the Legislature of this Province, so soon after the opening of the Session as practicable, such Returns as aforesaid as he may have received since the then next previous Session.

A statement of the affairs to be made up on the first Thursday in January annually, to be laid before the Legislature.

XXXII. And be it enacted, That this Act shall continue and be in force until the first day of May which will be in the year of our Lord one thousand eight hundred and sixty one.

Limitation.

CAP. XXXIII.

An Act in addition to the Registry Acts of this Province.

Passed 19th March 1841.

Preamble.

2 Vic. C. 43.

2 Vic. C. 43 repealed.

No Mortgage &c. to have priority by reason of being held with another Mortgage &c.

Registry of Memorial of Judgment to be void unless registered within five years before a subsequent deed.

Proviso.

WHEREAS it was the object and intention of an Act made and passed 'in the second year of the Reign of Her present Majesty, intituled "An Act to declare the priority of Registered Deeds and other incumbrances upon Land," to declare the Law as it stands under the Registry Acts of this Province with regard to tacking together mortgages and other incumbrances on Land: And whereas doubts are entertained whether the terms used in the said Act will not give it a more extensive operation than was intended; for remedy whereof,'

I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the said recited Act be and the same is hereby repealed: and in lieu thereof,

II. Be it declared and enacted, That no mortgage, judgment or other incumbrance on Land, shall have any priority or effect by reason of being held by or vested in the same person with another mortgage or incumbrance of prior date and registry, any law, usage or custom to the contrary notwithstanding.

III. And be it enacted, That from and after the first day of May which will be in the year of our Lord one thousand eight hundred and forty two, Judgments of the Supreme Court of this Province shall after the expiration of five years from the time of the registry of a Memorial thereof, as required in and by the provisions of an Act made and passed in the eighth year of the Reign of His late Majesty King George the Fourth, intituled "An Act to provide for the registering of Judgments and Recognizances which are intended to bind or affect real estate," be null and void against any Lands, Tenements or Hereditaments as to purchasers or mortgagees for valuable consideration, unless a like Memorial as was required in the first instance, is again registered within five years before the deed or instrument of conveyance to any such purchaser or mortgagee is duly registered: Provided always, that any bona fide sale of such Lands, Tenements or Hereditaments which may have taken place under execution issued on any such Judgment, before the registry of the deed or conveyance to such purchaser or Mortgagee shall in no wise be affected by this Act.

CAP. XXXIV.

An Act imposing Duties for raising a Revenue.

Passed 26th March 1841.

WE, Her Majesty's dutiful and loyal Subjects, the Assembly of New Brunswick in General Assembly convened, for raising the necessary supplies to defray the expenses of Her Majesty's Government within this Province, have freely resolved to give and grant to the Queen's Most Excellent Majesty the several rates and duties in the Schedule hereinafter mentioned, and do therefore pray Your Excellency that it may be enacted;

I. And be it enacted by His Excellency the Lieutenant Governor, by and with the advice and consent of the Legislative Council and Assembly, and by the authority of the same, that on and after the first day of April which will be in this present year of our Lord one thousand eight hundred and forty one, there be and are hereby granted to the Queen's Most Excellent Majesty, Her Heirs and Successors, for the use of this Province and for the support of the Government thereof,

Duties granted for the use of the Province and support of the Government on articles specified in the Schedule.

the

the several rates and duties inserted, described and set forth in figures in the Table of duties hereinafter contained, denominated "Schedule of Articles subject to duty and Articles exempted from duty," opposite to and against the respective Articles in the said Table or Schedule mentioned, described and enumerated, and according to the value, number or quantity of such Articles therein specified, whether imported or brought into this Province either by sea, by inland navigation or by land, from any part of the British Empire, or from any Foreign port or place, or which may be saved from any wrecked or stranded Ship or Vessel.

II. And be it enacted, That the several duties hereinbefore imposed and in the said Table or Schedule mentioned, shall be paid by the importer or importers of such Articles respectively, and shall be held and taken to be in addition to and over and above any duties which are or may be imposed and collected by any Act or Acts of the Imperial Parliament, and shall be collected and secured by means and under the regulations and penalties, and shall be drawn back on exportation or warehoused in the way and manner provided by any Act or Acts of the General Assembly for collecting the Revenue of the Province.

To be in addition to any duties imposed by Acts of Parliament.

III. And be it enacted, That all goods which shall have been warehoused in this Province before this Act comes into operation, and which shall remain so warehoused after the operation thereof commences, and on which the Provincial duties heretofore imposed have not been paid or secured by a subsisting or continuing security, shall in lieu of all former duties become liable to and be charged with Provincial duties hereby imposed on the like goods and merchandize, and shall be paid at the time of taking such goods and merchandize out of the warehouse.

Warehoused goods on which duties have not been secured to be liable to duties imposed by this Act.

IV. And be it enacted, That when any articles that shall have been warehoused, or on which duties shall have been paid under this or any other previous Act, shall be exported for the use of the deep Sea or Whale Fisheries, the amount of such duties shall be repaid to the exporter by the Treasurer, or Deputy Treasurer, or the Warehouse Bond cancelled, on affidavit (of the exporter) of the same having been so exported, for the use aforesaid.

Duties to be repaid or Warehouse Bond cancelled as to goods exported for the deep Sea or Whale fishery.

V. And be it enacted, That the duties which may be paid upon any Articles seized by the Officers of Her Majesty's Customs, shall be paid by the Treasurer to the person or persons making such seizure, as a Bounty for such seizure.

Duties on seizures to be paid over as a bounty.

VI. And be it enacted, That all the duties by this Act imposed shall be collected, paid and received according to the weights and measures now in use in this Province; and that in all cases where the said Colonial duties are in this Act imposed according to any specific quantity or any specific value or number, the same shall be deemed to apply in the same proportion to any greater or less quantity, value or number.

Duties to be paid according to weights and measures in use, and in proportion for greater or less quantities.

VII. And be it enacted, That this Act shall continue and be in force until the first day of April which will be in the year of our Lord one thousand eight hundred and forty two.

Limitation.

Schedule of Articles subject to Duty and Articles exempted from Duty.

		£	s.	d.	Schedule of articles liable to duty and rate.
SPIRITS, <i>videlicet</i> ,					
Brandy, per gallon,		0	2	3	
Rum or Spirits, per gallon,		0	1	6	
And further, for and upon all Rum or Spirits stronger than of the proof of 26 by the bubble, for every bubble below 26, an additional, per gallon,		0	0	1	
Being of Foreign production, a further and additional, per gallon,		0	0	6	
Geneva, Gin, Hollands or Cordials, per gallon,		0	1	6	
Whiskey,					

Schedule of articles liable to duty and rate, continued.

Whiskey, per gallon,	0	2	0
Shrub, Santa, Lime Juice, per gallon,	0	0	6
WINES, <i>videlicet</i> ,			
Hock, Constantia, Malmsey or Tokay, per gallon,	0	3	1
Champagne, Burgundy or Hermitage, per gallon,	0	2	10
Claret, called Lafitte, Latour, Margeaux, or Hautbrain, per gallon,	0	2	7
Madeira and Port, per gallon,	0	2	4
Sherry Wine, of which the first cost is £20 or upwards per pipe, per gallon,	0	2	1
Other Claret Wines :—Barsac, Sauterne, Vin de Grâve, Moselle and other French Wines, and Lisbon and German Wines, per gallon,	0	1	10
All other Sherry Wines, Teneriffe, Marsala, Sicilian, Malaga, Fayal, and all other Wines, per gallon,	0	1	3
All Wines the produce of the Cape of Good Hope, (except Constantia,) per gallon,	0	1	3
SUGAR, <i>videlicet</i> ,			
Muscovado or Brown, per hundred weight,	0	2	6
And on Foreign Sugar, an additional, per hundred weight,	0	1	3
Loaf, Lump or Refined, per pound,	0	0	1
COFFEE, per pound,	0	0	1
DRIED FRUITS, per hundred weight,	0	5	0
MOLASSES, per gallon,	0	0	1
Being of Foreign production, an additional, per gallon,	0	0	1
TOBACCO, <i>videlicet</i> ,			
Manufactured, (except Snuff and Cigars) per pound,	0	0	1
Snuff and Cigars, for every £100 of the true and real value thereof,	10	0	0
CATTLE.			
For and upon every Foreign Horse,	5	0	0
For and upon every Foreign Ox,	1	5	0
For and upon all other Foreign Horned Cattle,	1	5	0
For and upon all Foreign dead fresh Meats, per pound,	0	0	1
For and upon the following Foreign Manufactured Articles, when not imported from the United Kingdom, <i>videlicet</i> ,			
Chairs, or prepared parts of or for chairs,	}	For every £100 of the true and real value thereof,	25 0 0
Clocks,			
Clock Cases,			
Clock Movements or Machinery,			
Watches,			
Household Furniture,			
Pictures,			
Mirrors,			
Looking Glasses,	}		
And for and upon all Soap and Candles, Indian Rubber Shoes, and all other Foreign Articles, manufactured or not manufactured, not otherwise charged with duty, nor hereinafter declared to be free of duty,			
SILK, and for all Manufactures of which Silk shall form a component part,	} For every £100 of the true and real value thereof,		5 0 0
and			

And for and upon all Articles, the manufacture of the United Kingdom, imported or brought into this Province, whether by sea or inland carriage or navigation, or which may be saved from any wrecked or stranded ship or vessel, or not otherwise charged with duty, nor hereinafter declared to be free of duty; also all manufactures of Cotton, of the British East India possessions, Pepper, and all other description of Spices.

For every £100 of the true and real value thereof, 2 10 0

Colonial Leather, } For every £100 of the true and real value
and Malt Liquor } thereof, 5 0 0

For and upon all Foreign Wheat and Flour imported from Nova Scotia, for each and every Barrel of one hundred and ninety six pounds, 0 5 10

EXCEPTIONS

To all Foreign Articles, Manufactured or not Manufactured, videlicet,

Agricultural Implements, (Axes excepted,)

Barrilla Ashes,

Bees Wax,

Bristles,

Books (Printed) and Pamphlets,

Beans,

Bricks,

Bread,

Cotton Wool,

Cows,

Cordage,

Canvas,

Dye Wood,

Felt,

Flour and Meal of all kinds, (Buckwheat Flour excepted,)

Fresh and Green Fruits of all kinds,

Grass Seed and all other kinds of Seeds and Plants,

Grain of all kinds,

Ground Gypsum,

Hay,

Hides,

Horse Hair,

Horns,

Hemp,

Hops,

Indigo,

Iron,

India Rubber,

Lumber of all kinds, (Cedar, Pine, Spruce and Hemlock Shingles excepted,)

Leaf Tobacco,

Lignumvite,

Looking Glass Plates, and Picture and Plate Glass,

Mahogany Logs, Boards and Veneers,

Meats, Dried and Salted,

Mill Saws,

Schedule of articles liable to duty and rate, *continued*.

Articles exempted from duty.

DUTY FREE.

Articles exempted
from duty, con-
tinued.

Palm Oil,
Pitch,
Peas,
Potashes,
Rosin,
Rice,
Salt,
Tar,
Turpentine,
Tallow,
Vinegar,

DUTY FREE.

To all Articles the Manufacture of the United Kingdom, videlicet,

Agricultural implements,
Anchors,
Barley, Pot or Pearl,
Beef,
Bacon,
Books, (printed) and Pamphlets,
Bread,
Bunting,
Bricks and Tiles,
Coals,
Copper, Bolt and Sheet,
Copper, Spikes and Nails,
Canvas,
Coal Tar,
Cordage,
Duck,
Felt, patent,
Fishing Nets,
Hooks, Lines and Twines,
Flour and Meal of all kinds,
Globes,
Iron, bolt, bar, square, pig or sheet,
Iron Block Bushes,
Lead, bar and sheet,
Mineral Salt, and Salt of all kinds,
Malt,
Machinery for Mills or Steam Boats,
Mathematical and Musical Instruments of all kinds, and Philo-
sophical and Chemical Apparatus,
Hydraulic Engines,
Maps,
Oakum,
Pork,
Printing Paper,
Steel,
Spikes and Sheathing Nails,
Ship Tackle and Apparel,
Sheathing Paper,
Tin in Sheets and Blocks,
Zinc.

DUTY FREE.

CAP. XXXV.

An Act to appropriate a part of the Public Revenue to the payment of the Ordinary Services of the Province.

Passed 26th March 1841.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That there be allowed and paid out of the Treasury of the Province for the services hereinafter mentioned, the following sums, to wit :

To the Chaplain of the Legislative Council in General Assembly, the sum of Chaplains. twenty five pounds.

To the Chaplain of the House of Assembly, the sum of twenty five pounds.

To the Sergeant at Arms attending the Legislative Council in General Assembly, the sum of twenty shillings per diem during the present Session. Sergeants at Arms.

To the Sergeant at Arms attending the House of Assembly, the sum of twenty shillings per diem during the present Session.

To the Clerk of the Legislative Council in General Assembly, the sum of two hundred pounds for his services during the present Session. Clerks of Legislative Council and Assembly.

To the Clerk of the House of Assembly, the sum of two hundred pounds for his services during the present Session.

To the Clerk Assistant of the Legislative Council in General Assembly, the sum of one hundred pounds for his services during the present Session. Clerks' Assistants.

To the Clerk Assistant of the House of Assembly, the sum of one hundred pounds for his services during the present Session.

To the Doorkeepers attending the Legislative Council and Assembly, the sum of twelve shillings and six pence each per diem, during the present Session. Door Keepers.

To the Messengers attending the Legislative Council and Assembly, the sum of ten shillings per diem, each, during the present Session. Messengers.

To Beverley Robinson, Esquire, Province Treasurer, the sum of seven hundred and fifty pounds for his services for the year one thousand eight hundred and forty ; and the further sum of three hundred pounds to enable him to pay a Clerk. Province Treasurer.

To His Excellency the Lieutenant Governor or Commander in Chief, a sum not exceeding seven thousand pounds for the encouragement of Parish Schools, agreeably to a Law of this Province. Parish Schools.

To the Commissioners of Light Houses in the Bay of Fundy, the following sums to pay for services for the year one thousand eight hundred and forty one : Light Houses.

For the keeper of the Light House on Gannet Rock, and his assistants, the sum of one hundred and sixty five pounds ;

For the keeper of the Light House on Point Leproe, the sum of one hundred pounds ;

For the keeper of the Light House on Thrumb Cap, Quaco, the sum of one hundred pounds ;

The sum of six hundred pounds to defray the contingent expenses of Gannet Rock, Point Leproe and Quaco Light Houses, for the year one thousand eight hundred and forty one ;

To the keeper of the Light House on Partridge Island, the sum of one hundred pounds ;

To the keeper of the Beacon Light, the sum of one hundred pounds ;

The sum of two hundred and fifty pounds for contingent expenses of Light Houses at the entrance of the Harbour of Saint John.

To the Commissioners of Machias, Seal Island Campo Bello and Saint Andrews Harbour.

Light Houses,
continued.

Harbour Light Houses, the following sums to pay for the services for the year one thousand eight hundred and forty one :

To the keeper of the Light House on Campo Bello, the sum of one hundred and twenty pounds ;

To the keeper of the Light Houses on Machias Seal Island, the sum of one hundred and thirty pounds ;

To the keeper of the Light House in the Harbour of Saint Andrews, the sum of forty pounds ;

The sum of five hundred and fifty pounds to defray the contingent expenses of the said Light Houses for the year one thousand eight hundred and forty one.

Apprehension of
Deserters.

To His Excellency the Lieutenant Governor or Commander in Chief, a sum not exceeding one hundred pounds to be applied in rewarding persons for apprehending Deserters from Her Majesty's Land Forces within this Province : Provided always, that no greater sum than five pounds be paid for the apprehension of any one Deserter.

Master in Chan-
cery.

To the Master in Chancery appointed to carry Messages from the Legislative Council to the House of Assembly, the sum of fifty pounds.

J. Abrams, Tide
Waiter, Saint
John.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of ninety one pounds five shillings to enable the Province Treasurer to pay John Abrams for his services as Tide Waiter at Saint John for the year one thousand eight hundred and forty one.

Tide Surveyor,
Miramichi.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of seventy five pounds for the services of a Tide Surveyor at Miramichi for the year one thousand eight hundred and forty one.

B. C. Chaloner,
Tide Surveyor,
Saint John.

To B. C. Chaloner, Tide Surveyor at Saint John, for his services from the first day of May one thousand eight hundred and forty, to the same period one thousand eight hundred and forty one, the sum of fifty pounds.

Courier between
Bathurst and
Pokemouche *via*
Shippegan.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of fifty pounds in aid of individual subscription, to pay a Courier between Bathurst and Pokemouche *via* Shippegan in Gloucester.

Courier between
Gagetown and the
Nerepis.

To the Justices of the Peace for Queen's County, the sum of thirty pounds to enable them to pay a Courier between Gagetown and the Nerepis for the year one thousand eight hundred and forty one.

Messenger to the
Treasury.

To Beverley Robinson, Esquire, Province Treasurer, the sum of one hundred and fifty pounds, being for the services of a Tide Waiter or Messenger to the Treasury for the year one thousand eight hundred and forty one.

Protection of
Revenue.

To His Excellency the Lieutenant Governor or Commander in Chief, a sum not exceeding seven hundred and fifty pounds to defray any expenses that may be incurred in the protection of the Provincial Revenue for the year one thousand eight hundred and forty one.

Courier between
Harvey and Great
Road.

To the Justices of the Peace for the County of Westmorland, the sum of fifty pounds to enable them to pay a Courier passing between Harvey and the Great Road leading from Dorchester to Saint John.

W. Watts.

To William Watts, the sum of ten pounds for airing and taking care of the Province Hall.

Light Houses on
Cape Sable Seal
Island and Brier
Island.

To the Commissioners of Light Houses in the Bay of Fundy, the sum of two hundred pounds to be applied by them towards the support of Cape Sable Seal Island Light House ; and also, one hundred pounds towards the support of the Light House on Brier Island, in the Province of Nova Scotia, for the year one thousand eight hundred and forty one.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum
of

of fifty pounds in aid of individual subscription to pay a Courier between Pokemouche and Miramichi, in the Counties of Northumberland and Gloucester.

Courier between
Pokemouche and
Miramichi.

To His Excellency the Lieutenant Governor or Commander in Chief, a sum not exceeding three hundred pounds to encourage the destruction of Bears and Wolves, agreeably to Laws of this Province.

Destruction of
Bears and Wolves.

To His Excellency the Lieutenant Governor or Commander in Chief, the following sums for Grammar Schools for the year one thousand eight hundred and forty one, agreeably to a Law of the Province :

Grammar Schools.

For a Grammar School in the County of Westmorland, the sum of one hundred pounds ;

For the Grammar School in Saint John, the sum of one hundred and fifty pounds ;

For the Grammar School in King's County, the sum of one hundred pounds ;

For the Grammar School in the County of Kent, the sum of one hundred pounds ;

For the Grammar School in Queen's County, the sum of one hundred pounds ;

For the Grammar School in the County of Charlotte, the sum of one hundred pounds ;

For the Grammar School in the County of Sunbury, the sum of one hundred pounds ;

For the Grammar School in the County of Northumberland, the sum of one hundred pounds ;

For the Grammar School in the County of Gloucester, the sum of one hundred pounds ;

For the Grammar School in the County of Carleton, the sum of one hundred pounds ;

For the Grammar School in the County of Restigouche, the sum of one hundred pounds.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of fifty pounds to enable His Excellency to pay a Messenger to the Executive Council.

Messenger to the
Executive.

To the Governor and Trustees of the Madras School, the sum of five hundred pounds for the year one thousand eight hundred and forty one, towards the support of that institution.

Madras Corpora-
tion.

II. And be it enacted, That all the before mentioned sums of money shall be paid by the Treasurer of the Province, by Warrant of His Excellency the Lieutenant Governor or Commander in Chief for the time being, by and with the advice of Her Majesty's Executive Council, out of the monies in the Treasury or as payment may be made at the same.

Monies to be paid
by Warrant.

CAP. XXXVI.

An Act to appropriate a part of the Public Revenue for the Services therein mentioned.

Passed 26th March 1841.

I. **BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That there be allowed and paid out of the Treasury of this Province, the following sums, to wit :

To the Honorable W. F. Odell, Provincial Secretary, for defraying the expenses of Printing, Stationery, Book Binding, &c., for the Secretary's Office, for the year one thousand eight hundred and forty, the sum of one hundred and five pounds.

Provincial Secre-
tary's Office con-
tingencies.

- E. Briscoe. To Elizabeth Briscoe, the sum of twenty pounds for teaching a School in Saint Andrews for the year one thousand eight hundred and forty.
- Infant School, Saint John. To the Committee of Management of the Infant School of Saint John, twenty five pounds in aid of individual subscription towards that institution.
- Mrs. I. Hailes, Poor School in Fredericton. To Mrs. Isabella Hailes and the Committee of Management for the Poor School in Fredericton, the sum of twenty pounds in aid of individual subscription towards the support of that institution.
- W. Watts. To William Watts, ten pounds for his services as Crier or Usher in the Supreme Court for the past year, and the further sum of ten pounds for attending the Court of Chancery.
- Index to Laws. To John Gregory, the sum of ten pounds to prepare an Index to the Laws of the present Session.
- M. Brannen. To Matthew Brannen, of the Secretary's Office, twenty five pounds as a mark of approbation for his long and faithful services in that Office.
- E. Fairchild. To Elizabeth Fairchild, of the City of Saint John, the sum of twenty pounds for her services as School Mistress in that City.
- Dr. G. P. Peters, Vaccine Institution. To Doctor G. P. Peters, Surgeon to the Vaccine Institution, Central Board, Saint John, the sum of twenty pounds for his services for the year one thousand eight hundred and forty.
- Provincial Agent. To the Committee of Correspondence, such sum as will procure Bills of Exchange on London for two hundred pounds sterling, to be remitted Henry Bliss, Esquire, Province Agent, for the year one thousand eight hundred and forty.
- Adjutant General. To the Adjutant General of the Militia Forces, the sum of seventy five pounds for his services for the year one thousand eight hundred and forty one.
- Tide Waiter at Dalhousie. To His Excellency the Lieutenant Governor or Commander in Chief, the sum of forty pounds for a Tide Waiter at Dalhousie, in the County of Restigouche, for the year one thousand eight hundred and forty one.
- Tide Waiter at Bathurst. To His Excellency the Lieutenant Governor or Commander in Chief, the sum of thirty pounds for a Tide Waiter at Bathurst, in the County of Gloucester, for the year one thousand eight hundred and forty one.
- Free School, Saint John. To the Justices of the Peace for the City and County of Saint John, the sum of one hundred and fifty pounds towards the support of a free School established in the said City, unconnected with the Madras Board.
- J. Simpson, Queen's Printer. To John Simpson, Queen's Printer, for printing the Daily Journals of the Legislative Council and Assembly during the present Session, the sum of two hundred and seventy five pounds.
- To John Simpson, Queen's Printer, the sum of one hundred and fifty pounds towards printing the Laws of the present Session.
- B. C. Chaloner, Gauger and Weighing. To B. C. Chaloner, Gauger and weigher at Saint John, the sum of two hundred pounds, being in full for his services for the year one thousand eight hundred and forty.
- Tide Waiter at Richibucto. To His Excellency the Lieutenant Governor or Commander in Chief, the sum of twenty pounds for the services of a Tide Waiter at Richibucto for the year one thousand eight hundred and forty one.
- M. A. Smith. To Mary Ann Smith, for upwards of forty years a School Mistress at Saint John, the sum of twenty pounds, in consideration of her services in that capacity.
- D. A. Lugin. To Deborah Ann Lugin, widow of the late G. K. Lugin, many years King's Printer in this Province, the sum of twenty five pounds to assist her in her present destitute situation.
- Adjutants and Sergeant Majors. To His Excellency the Lieutenant Governor or Commander in Chief, the sum of four hundred and sixty five pounds to pay the Provincial allowance to the Adjutants

Adjutants of the several Battalions of Militia in this Province, and the further sum of two hundred and thirty two pounds ten shillings to pay the Sergeant Majors of the same during the past year.

To Her Majesty's Attorney General, the sum of one hundred pounds for the year one thousand eight hundred and forty. H. M. Attorney General.

To Her Majesty's Solicitor General, the sum of fifty pounds for the year one thousand eight hundred and forty. H. M. Solicitor General.

To the Clerk of the Crown in the Supreme Court, the sum of one hundred pounds for his services for the year one thousand eight hundred and forty. Clerk of the Crown Supreme Court.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of one hundred pounds to pay a Sub-Collector and Deputy Treasurer at Woodstock, in the County of Carleton, the duties of both offices to be performed by one person, this to be in addition to the allowance made to Deputy Treasurers by Law. Sub-Collector and Deputy Treasurer at Woodstock.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of forty pounds in aid of individual subscription, to pay a Courier between Saint John and Saint Martins. Courier between Saint John and Saint Martins.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of fifty pounds in aid of individual subscription for carrying the Mails three times a week during the ensuing year, with a double Sleigh or Waggon with two Horses for the accommodation of passengers between Saint Andrews and Saint Stephens. Stages between Saint Andrews and Saint Stephen.

To the Quarter Master General of the Militia Forces, the sum of two hundred pounds for his services for one thousand eight hundred and forty. Quarter Master Militia.

To Beverly Robinson, Esquire, Province Treasurer, the sum of two hundred and ninety seven pounds nineteen shillings and five pence, being amount over advanced by him for the protection of the Revenue for the year one thousand eight hundred and forty. Over advance for protection of Revenue.

To Beverly Robinson, Esquire, Province Treasurer, the sum of one hundred and sixty two pounds fourteen shillings and seven pence, being for office rent, postage, and other contingencies of office in the year one thousand eight hundred and forty. Treasury Contingencies.

To D. W. Jack, the sum of thirty pounds twelve shillings and seven pence for Gauging and Weighing at Saint Andrews, for the year one thousand eight hundred and forty. D. W. Jack, Gauging and Weighing.

To Thomas Moses, the sum of two pounds eighteen shillings and four pence, for Gauging and Weighing at West Isles in the year one thousand eight hundred and forty. Thomas Moses Gauging and Weighing.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of three hundred and fifty pounds for the purpose of remunerating A. Gesner, for his services the past year in continuing the Geological Survey of the Province. A. Gesner, Geological Survey.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of fifty pounds in aid of the Grammar School presently taught at Newcastle, in the County of Northumberland, by John Sevewright, to whom the same shall be paid in part of his salary for teaching said School the present year on its being certified to His Excellency the Lieutenant Governor or Commander in Chief, by William Abrams, Esquire, and the Reverend James Souter, that the same is due to the said John Sevewright for such service. J. Sevewright, Grammar School, Northumberland.

To James Whitehead, an old Soldier desperately wounded in the Revolutionary War, the sum of twenty pounds to relieve him in his present distressed circumstances, his being an extraordinary case, and no application being made under the Law. J. Whitehead.

Tide Surveyor at Shippegan and Caraquet.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of thirty pounds for a Tide Surveyor at Shippegan and Caraquet, in Gloucester for one thousand eight hundred and forty one.

Gauger at Miramichi.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of twenty five pounds in full for the services of Gauger up to the thirty first day of December one thousand eight hundred and forty, at Miramichi.

Extra Laws for Magistrates.

To John Gregory, Clerk Assistant of the Legislative Council, ten pounds for extra copies of the Province Laws for the use of the Magistrates for the year one thousand eight hundred and forty one.

Widow of I. W. Jouett.

To the Widow of Isaac W. Jouett, late Usher of the Black Rod to the Legislative Council, the sum of twenty five pounds to assist her in her present distressed circumstances.

Missionary to the Indians.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of fifty pounds for a Missionary to the Melicete Tribe of Indians stationed at Fredericton, for the year one thousand eight hundred and forty.

M. Harned.

To Mary Harned, widow of the late Alward Harned, formerly Doorkeeper of this House, the sum of twenty pounds.

James M^cIndoe,

To James M^cIndoe, formerly one of the Messengers of this House, from which he was obliged to retire in consequence of extreme ill health, twenty pounds to aid him in his present circumstances.

Conveyance, Bend of Petitcodiac to Shediac.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of thirty pounds in aid of a public conveyance from the Bend of Petitcodiac to Shediac.

Stage between Dalhousie and Campbelltown.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of thirty pounds for the purpose of encouraging a Stage between Dalhousie and Campbelltown.

Relief of Indians.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of three hundred pounds to enable the Commissioners of Indian affairs to afford relief to indigent and distressed Indians in this Province.

Ferryman at the Aroostook.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of thirty pounds to enable His Excellency to remunerate a Ferryman at the Aroostook for his services in facilitating the passage of the Mail across the said River during the year one thousand eight hundred and forty.

Ann Fowler.

To Ann Fowler, Widow of the late Caleb Fowler, who served as an Ensign in the Revolutionary War in America, the sum of twenty pounds to assist her in her present distressed circumstances.

Appraisers of dutiable goods at Saint John.

To the Appraisers at Saint John, under the Imperial Act, the sum of fifty pounds each, to remunerate them for services the past year, and further Resolved, that no further sum ought to be granted for such services, without a detailed account of the same.

Appraiser at Miramichi.

To John Frazer, Esquire, Appraiser for Miramichi, the sum of ten pounds for his services for the year one thousand eight hundred and forty.

Missionary for Indians at the Tobique.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of seventy five pounds towards remunerating Missionaries stationed at Madawaska for the purpose of giving attendance to the Tobique and other Indians established in the neighbourhood of that settlement.

Expenses of the Geological Survey.

To His Excellency the Lieutenant Governor or Commander in Chief, a sum not exceeding two hundred and fifty pounds for the purpose of enabling His Excellency to provide for the expenses of Doctor Abraham Gesner in one thousand eight hundred and forty one, in continuing the Geological Survey of the Province.

To Edward and Joseph Wilson, of Saint Andrews, the sum of thirty two pounds fourteen shillings and two pence, being excess of head money paid at that place in one thousand eight hundred and thirty nine, on passengers per brig Thomas Hanford, of Cork, the same to be taken from the Emigrant Fund.

E. & J. Wilson,
excess of head
money.

To Edward and Joseph Wilson, of Saint Andrews, the sum of twenty two pounds two shillings and six pence, being excess of head money paid at that place in one thousand eight hundred and forty, on passengers per brig Sarah and Nancy, of Cork, the same to be taken from the Emigrant Fund.

E. & J. Wilson,
excess of head
money.

To the Justices of the Peace of the County of Kent, the sum of one hundred and fifty pounds in aid of an assessment to pay off the County debt.

Justices of Kent,
in aid of an As-
sessment.

To Rachael Martin, an old and valuable instructress of Youth, now a teacher at Saint John, the sum of twenty pounds in consideration of her services in that capacity.

Rachael Martin.

To Thomas Moses, Deputy Treasurer of West Isles, County of Charlotte, the sum of seventy five pounds, in consideration of his services for the year one thousand eight hundred and thirty eight, it appearing by the Certificate of the Province Treasurer that no allowance was made him during that year beyond his commission.

Thomas Moses,
Deputy Treasurer
at West Isles.

To the Chairman of the Committee of Public and Private Accounts, the sum of one hundred and fifty pounds for the various services performed by him during the recess, and also for extra services during the present Session in auditing and reporting the said Accounts.

Chairman of Com-
mittee on Public
and Private Ac-
counts.

To John Brass Robertson, Master of brig Cleopid of Newcastle, the sum of thirty six pounds ten shillings, being excess of head money paid at the Treasurer's Office, Saint John, on passengers per that vessel from Cork, in one thousand eight hundred and forty.

J. B. Robertson,
excess of head
money.

To His Excellency the Lieutenant Governor or Commander in Chief, a sum not exceeding one thousand pounds for Provincial contingencies.

Provincial contin-
gencies.

To George Salter, of Saint John, the sum of fifteen pounds three shillings and four pence to reimburse him as drawback for Duties paid on Loaf Sugar exported to Halifax, Nova Scotia in November last.

George Salter,
Drawback.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of fifty pounds to be applied for purchasing a tract of Land for Camping Ground on the River Saint Croix for the Passamaquoddy Tribe of Indians.

To purchase
Camping Ground
for Indians.

To the Commissioners of the Alms House and Work House and Overseers of the Poor for the Parish of Saint Andrews, the sum of five hundred and four pounds two shillings and eleven pence, to reimburse them for expenses incurred in the support and relief of sick, indigent and distressed Emigrants at Saint Andrews, in one thousand eight hundred and forty, the same to be taken from the Emigrant Fund.

Distressed Emi-
grants at Saint
Andrews.

To the Overseers of the Poor of the Parish of Saint Stephens, the sum of one hundred and ten pounds three shillings and nine pence to reimburse them for expenses incurred in the support and relief of indigent and distressed Emigrants at that Parish, in one thousand eight hundred and forty, the same to be taken from the Emigrant Fund.

Distressed Emi-
grants at Saint
Stepheus.

To Samuel L. Bishop, of Bathurst, the sum of fifteen pounds to remunerate him for damages sustained by his building, let as a temporary Custom House and Deputy Treasurer's Office in one thousand eight hundred and thirty nine, by reason of an attempt being made to destroy with gunpowder a quantity of smuggled Spirits seized and deposited therein.

S. L. Bishop.

To Edward and Joseph Wilson, Agents for the brig Thomas Hanford, of Cork, the

E. & J. Wilson,
excess of Head
money.

the sum of eight pounds two shillings and six pence, being excess of head money paid on passengers per that vessel in one thousand eight hundred and forty at Saint Andrews, the same to be taken from the Emigrant Fund.

Justices of Restigouche for support of Lunatic and distressed Emigrants.

To the Justices of the Peace for the County of Restigouche, the sum of seventy five pounds eighteen shillings and seven pence to reimburse the Overseers of the Poor of the Parish of Dalhousie for expenses incurred in the support of two transient Lunatic paupers in one thousand eight hundred and forty.

To the Overseers of the Poor of the Parish of Addington, County of Restigouche, the sum of twenty three pounds nineteen shillings and six pence to reimburse them for expenses incurred in the support and relief of indigent and distressed Emigrants in one thousand eight hundred and forty.

S. Cyphers.

To Sarah Cyphers, Widow of an Officer of the Revolutionary War, the sum of twenty pounds to assist her in her present destitute condition.

Justices of Charlotte towards debt for new Court House.

To the Justices of the Peace of the County of Charlotte, the sum of two hundred and fifty pounds towards relieving them from the debt incurred in the erection of a new Court House in that County.

Sarah Wallace.

To Sarah Wallace, widow of Jonathan Wallace, late a Sergeant in the York Volunteers, a Corps which served in the late Revolutionary War with America, the sum of ten pounds, it appearing by the Petition that the amount allowed by Law in such cases could not be allowed in consequence of his death.

Justice of King's County towards new Gaol.

To the Justices of the Peace of the County of King's, the sum of two hundred and fifty pounds towards the debt incurred in the erection of a new Gaol in the said County.

W. A. Robertson, return Duties.

To William A. Robertson, of Saint John, the sum of sixty eight pounds five shillings and ten pence to reimburse him for Duties paid on Bricks and other fire proof materials imported from the United States to replace his building destroyed at the great fire in one thousand eight hundred and thirty nine.

J. Lockwood & Co., return duties.

To James Lockwood and Company, of Saint John, the sum of twenty nine pounds thirteen shillings and seven pence to reimburse them for similar Duties.

R. Rankin, & Co., excess of Head money.

To Robert Rankin and Company, of Saint John, the sum of twenty pounds to reimburse them for excess of head money paid on passengers by brig Caroline, from Ballyshannon, in one thousand eight hundred and forty, at the Treasurer's Office, the same to be taken from the Emigrant Fund.

To Robert Rankin and Company, the sum of thirty six pounds seventeen shillings and six pence, being excess of head money paid on passengers per brig Percival, from Cork, in one thousand eight hundred and forty, the same to be taken from the Emigrant Fund.

George Taylor, return Duties.

To George Taylor, of Chatham, County of Northumberland, the sum of fourteen pounds eleven shillings and eight pence to reimburse him for Provincial Duties paid on Flour imported from Halifax the last year.

J. V. Thurgar, return Duties.

To John V. Thurgar, of Saint John, the sum of nineteen pounds seventeen shillings and six pence to reimburse him for Duties paid on Bricks and other fire proof materials imported from the United States to replace his buildings destroyed at the great fire in one thousand eight hundred and thirty nine.

T. M'Avity & Co., return Duties.

To Thomas M'Avity and Company, of Saint John, the sum of seventy six pounds four shillings and six pence to reimburse them for similar Duties.

Emigrant Paupers Parish of St. George.

To the Overseers of the Poor for the Parish of Saint George, in the County of Charlotte, the sum of twenty eight pounds twelve shillings and four pence to reimburse them for the support of Emigrant paupers in one thousand eight hundred and forty.

Overseers of Poor, Bathurst.

To Her Majesty's Justices of the Peace for the County of Gloucester, the sum
of

of twenty one pounds to reimburse the Overseers of the Poor of the Parish of Bathurst for expenses incurred in necessary attendance and medical aid to Patrick Kean, a lunatic; and the further sum of three pounds ten shillings for relief to certain distressed Emigrants during the year one thousand eight hundred and forty.

To the Justices of the Peace of the City and County of Saint John, the sum of one thousand pounds towards the cost of the House of Correction recently built in that County, and for the purpose of extending the same, the same not to be drawn from the Treasury until one thousand eight hundred and forty two.

Justices of Saint John, for House of Correction.

To E. L. Jarvis and Company, the sum of forty three pounds eleven shillings to reimburse them for Duties paid on Bricks and other fire-proof materials imported from the United States, to replace their building destroyed at the great Fire in one thousand eight hundred and thirty nine.

E. L. Jarvis & Co., return Duties.

To the Justices of the Peace of the City and County of Saint John, the sum of one hundred and seventy two pounds seven shillings and six pence to reimburse the Overseers of the Poor of the Parish of Simonds, for expences incurred in the support and relief of indigent, sick and distressed Black Refugees, agreeably to the prayer of the Petition.

Black Refugees, Parish of Simonds.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of fifty pounds to aid the Miramichi Tribe of Indians in finishing a Chapel erected exclusively for those Indians at Burnt Church, Parish of Alnwick, in the County of Northumberland.

Chapel for Miramichi Tribe of Indians.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of forty one pounds twelve shillings and one penny to remunerate M^rPherson and Coy, F. W. Hatheway and Spafford Barker, for money expended in erecting a Wharf and Steam Boat Landing in Fredericton.

Wharf and Steam Boat Landing, Fredericton.

To the Justices of the Peace of the City and County of Saint John, to reimburse the Overseers of the Poor for the said City, the sum of one thousand six hundred and fifty eight pounds thirteen shillings and four pence for expences incurred in the support and relief of sick, indigent and distressed Emigrants in one thousand eight hundred and forty, and also for supplies sent to the Emigrant Establishment at Partridge Island for sick Emigrants landed there for the preservation of the public health, the same to be taken from the Emigrant Fund.

Distressed Emigrants at Saint John.

To the Justices of the Peace of the City and County of Saint John, the sum of one hundred and thirty pounds fifteen shillings and eleven pence to reimburse the Overseers of the Poor for the Parish of Portland for expences incurred in the support and relief of sick, indigent and distressed Emigrants in one thousand eight hundred and forty, the same to be taken from the Emigrant Fund.

Distressed Emigrants, Parish of Portland.

To Thomas E. Perley, the sum of nineteen pounds one shilling and five pence, being return of Duty on Caps imported by him for the use of the Troop of Cavalry in the County of Carleton.

Thomas E. Perley, return Duties.

To Messrs. Crookshank and Walker, of Saint John, the sum of twenty six pounds ten shillings and five pence, being return of Duties on fifty six Casks of Molasses exported in one thousand eight hundred and forty to Halifax, Nova Scotia.

Crookshank & Walker, return Duties.

To William Fruing and Company, of Shippegan, the sum of seven pounds ten shillings and three pence to reimburse them for Duties paid on four Hogsheads Molasses imported from Halifax, Nova Scotia.

W. Fruing & Co., return Duties.

To Robert Hall, Master of the Ship Pallas, of Cork, the sum of forty three pounds twelve shillings and six pence to reimburse him for excess of Head Money paid on Passengers per that vessel at the Treasurer's Office, Saint John, in May last, the same to be taken from the Emigrant Fund.

R. Hall, excess of Head money.

To

J. Kerr & Co., re-
turn Duties.

To John Kerr and Company, of Saint John, the sum of twenty pounds eleven shillings and six pence to reimburse them for Duties paid on Bricks and other fire-proof materials imported from the United States, to replace a building destroyed at the great Fire in one thousand eight hundred and thirty nine.

Otis Small, return
Duties.

To Otis Small, the sum of eight pounds twelve shillings and four pence to reimburse him for Duties paid on Slate imported from the United States for building in the burnt District in Saint John.

Willard, Bu-
chanan & Co., re-
turn Duties.

To Willard, Buchanan and Company, of Saint John, the sum of fifty nine pounds fifteen shillings to reimburse them for Duties paid on Bricks and other fire-proof materials imported from the United States to replace a building destroyed at the great Fire in one thousand eight hundred and thirty nine.

George Ball, ex-
cess of Head
money.

To George Ball, of Saint John, the sum of thirty five pounds ten shillings to reimburse him for excess of Head Money paid on Passengers at Saint John in one thousand eight hundred and forty at the Treasurer's Office per Barque George, from Londonderry.

Justices of Carle-
ton, Duties on a
Fire Engine.

To the Justices of the Peace of the County of Carleton, the sum of forty nine pounds thirteen shillings and four pence to reimburse Charles Connell and others, a Committee of that body for Duties paid on a Fire Engine imported from the United States.

J. Kollock.

To Jacob Kollock, a meritorious old Officer, resident in the Parish of Carleton in the County of Kent, the sum of twenty pounds in consideration of his being now totally blind and in the most indigent circumstances.

S. Napier.

To Samuel Napier of Bathurst, the sum of two pounds fourteen shillings and six pence for Gauging and Weighing at the Port of Bathurst during the year one thousand eight hundred and forty.

Distressed Emi-
grants, York
County.

To the Commissioners of the Alms House in the County of York, the sum of one hundred and sixty four pounds to reimburse them for expences incurred in the support and relief of sick, indigent and distressed Emigrants in one thousand eight hundred and forty; the same to be taken from the Emigrant Fund: Twenty pounds of the above sum to be paid Doctor Woodforde for Medical attendance, this charge not being included in the account.

Alexanders, Barry
& Co., return Du-
ties.

To Alexanders, Barry and Company, of Saint John, the sum of sixteen pounds fifteen shillings and nine pence to reimburse them for Duties paid on Bricks, &c. imported from the United States, for replacing a building in the Burnt District, destroyed by the great fire in one thousand eight hundred and thirty nine.

Corporation of
Saint John, to-
wards widening
Streets.

To the Mayor, Aldermen and Commonalty of the City of Saint John, the sum of two thousand five hundred pounds for the relief of the said City, consequent upon the large amount to be paid for widening and opening several Streets therein, in the Burnt District, (so called) for the preservation of property and preventing the ravages of fire, under the Acts of Assembly in such case made and provided; the one half of the said amount to be applied towards relieving the inhabitants of the said City residing without the Burnt District from a portion of taxation authorized by said Acts, and the remainder to assist the Corporation to pay the amount required by the Acts out of their funds.

J. Sears, return
Duties.

To John Sears, of Saint John, the sum of eleven pounds one shilling to reimburse him for Duties paid on Coffee destroyed at the great Fire in one thousand eight hundred and thirty nine.

Justices of Saint
John, Lunatic
Asylum.

To the Justices of the Peace for the City and County of Saint John, the sum of four hundred pounds for the purpose of being applied towards the erection of a fire proof addition to the temporary Lunatic Asylum established in the said City.

Ratchford & Bro-
thers, return Du-
ties.

To Messieurs Ratchford and Brothers, of Saint John, the sum of thirty five pounds

pounds nine shillings and six pence to reimburse them for Duties paid on seventy hogsheads Molasses exported to Halifax, Nova Scotia, in June last.

To Messieurs Ratchford and Brothers, of Saint John, the sum of fifteen pounds three shillings and six pence to reimburse them for Duties paid on two puncheons Rum exported to Cornwallis, Nova Scotia, in July one thousand eight hundred and thirty nine, the certificate of the lading of the same now exhibited not having been furnished at the time prescribed by Law.

Ratchford & Brothers return Duties.

To Daniel Morrison, the sum of nine pounds three shillings and four pence for teaching a School in the Parish of Saint Patrick, in the County of Charlotte, for five and a half months, ending the fifteenth July one thousand eight hundred and forty.

D. Morrison.

To the Board of Education in the County of Saint John, the sum of forty pounds to provide a Teacher for the coloured population at Loch Lomond, for the year commencing the first of May one thousand eight hundred and forty one, such Teacher to be duly licenced, and under the control of said Board.

Board of Education, Saint John, Teacher at Loch Lomond.

To William Parker, the sum of six pounds thirteen shillings and four pence for teaching a School in the Parish of Saint Patrick, in the County of Charlotte, for the space of four months, ending the twenty fifth of December one thousand eight hundred and thirty nine.

Wm. Parker.

To Margaret Morrison, the sum of ten pounds for teaching a School in the Parish of Saint Patrick, in the County of Charlotte, for the space of six months, ending fifth November, one thousand eight hundred and forty.

M. Morrison.

To Orissa Robinson, the sum of twenty pounds for teaching a School in the Parish of Saint Stephen, in the County of Charlotte, for the year ending tenth March, one thousand eight hundred and forty.

O. Robinson.

To John Joyce, the sum of ten pounds for teaching a School for six months in the Parish of Hillsborough, County of Westmorland, ending tenth November, one thousand eight hundred and thirty nine.

J. Joyce.

To Robert Edgar, a licenced Teacher, the sum of twenty pounds for teaching a School in the Parish of Westfield, King's County, for one year, ending twenty fifth February, one thousand eight hundred and forty.

R. Edgar.

To Samuel L. Stickney, the sum of five pounds to reimburse him for that amount paid Lewellin J. Evans, a licenced Teacher, in the Parish of Sheffield, County of Sunbury, for three months' services, ending April, one thousand eight hundred and forty.

S. L. Stickney,
L. J. Evans.

To Isabella Jouett, for teaching a School in the Parish of Saint Mary's in the County of York, in the year one thousand eight hundred and forty, twenty pounds.

I. Jouett.

To Catherine Harper, the sum of ten pounds for teaching a School in Moncton, County of Westmorland, for six months, ending ninth January, one thousand eight hundred and forty.

C. Harper.

To Colin Campbell, Esquire, late High Sheriff of the County of Charlotte, the sum of forty seven pounds eleven shillings and one penny to reimburse him for monies paid Her Majesty's Attorney General, at the suit of the Crown against Sylvanus Blake; the property of the said Blake having been levied upon previously on a separate suit, and the amount realized therefrom having been paid over to the parties Plaintiffs, for which the Petitioner became accountable.

Colin Campbell.

To Lieutenant Colonel Monins, of Her Majesty's Sixty Ninth Regiment, the sum of one hundred and four pounds sixteen shillings and six pence to reimburse the Officers of that Regiment for Duties paid on Wines, &c. for the use of the Mess, from February one thousand eight hundred and forty, to January one thousand eight hundred and forty one.

Lt. Col. Monins,
Duties on Wines,
69th Regiment.

Major Cairnes,
Duties on Wines,
36th Regiment.

To Major Cairnes, of Her Majesty's Thirty Sixth Regiment, the sum of ninety eight pounds seventeen shillings and six pence to reimburse the Officers of that Regiment for similar Duties.

H. Palmer, return
Duties.

To Henry Palmer, of Windsor, Nova Scotia, the sum of five pounds to reimburse him for Duties paid at Saint John on a Horse imported from Boston for Windsor, which Horse was conveyed to the latter place by Petitioner, and the Duties there paid.

H. Calvert, return
Duties.

To Richard Calvert, of Saint John, the sum of twenty two pounds eleven shillings and six pence to reimburse him for Duties paid on bricks and other fire proof materials imported from the United States to replace his buildings destroyed at the great fire in one thousand eight hundred and thirty nine.

James T. Hanford,
return
Duties.

To James T. Hanford, the sum of twenty pounds eleven shillings and one penny to reimburse him for Duties paid on forty five hogsheads Molasses exported to Saint John's, Newfoundland, in one thousand eight hundred and thirty nine; it appearing that the certificate of lading was not returned in time, owing to circumstances beyond the control of the Petitioner, as stated in his Petition.

George A. Lockhart,
return
Duties.

To George A. Lockhart, the sum of three pounds sixteen shillings and seven pence to reimburse him for Duties paid on three hogsheads Sugar exported to Nova Scotia in May last.

Faulkner and
Wheeler, return
Duties.

To Faulkner and Wheeler, of Saint John, the sum of thirty seven pounds thirteen shillings and ten pence as a return of Duties on goods destroyed by fire in August, one thousand eight hundred and thirty nine.

J. V. Thurgar re-
turn Duties.

To John V. Thurgar, of Saint John, the sum of seven pounds fifteen shillings and three pence to reimburse him for Duties paid on a hogshead of Brandy exported to Digby, Nova Scotia, on the second July last.

Wharf at Hills-
borough.

To the Justices of the Peace for the County of Westmorland, the sum of fifty pounds to enable them to complete the Public Wharf at Hillsborough.

Wharf and Land-
ing at Salt Water
in Saint Stephens.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of one hundred pounds in aid of an assessment for building a Public Wharf and Landing at Salt Water in Saint Stephens.

Widow of T.
Burden.

To the Widow of Thomas Burden, late Lieutenant of the Corps of Loyal Associated Refugees, the sum of twenty pounds towards assisting her in her present distressed circumstances.

G. Botsford, Esq.,
Reports of Law
Decision.

To George Botsford, Esquire, the sum of one hundred pounds for the Reports of the Law Decisions of the Supreme Court, he having performed the duty of the late George F. S. Berton, Esquire, for nearly two years; the same to be paid to the Widow of the late G. F. S. Berton, agreeably to the prayer of his Petition; no sum having been drawn from the Treasury under the Act for Reporting the Decisions of the said Court for such period.

T. E. Millidge, re-
turn Duties.

To Thomas E. Millidge, the sum of twenty seven pounds one shilling to reimburse him for Duties paid on Wines, &c., destroyed by fire at Saint John in August last.

Wm. McKinney,
Pension of C.
Hubert.

To William McKinney, of Deer Island, the sum of ten pounds, being amount of pension due to his late mother, Catharine Hubert, deceased, the Widow of an old Soldier, in lieu of that sum now in the hands of the Clerk of the Peace for the County of Charlotte, drawn for the said pension of the late C. Hubert, which sum the said Clerk is hereby directed to pay over to the Treasurer of the Province.

Light House at
Point Escuminac.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of seven hundred and forty eight pounds fifteen shillings and three pence to be applied towards discharging the debt incurred in the erection and completion of a Light House at Point Escuminac at the entrance of the River Miramichi, the same to be taken from the Light House Fund.

To

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of twenty pounds to aid the inhabitants of the County of Westmorland to employ a Courier to carry the Mails from Cape Tormentine to the Great Road of Communication through that County.

Courier from Cape Tormentine to the Great Road.

To Richard S. Clarke, the sum of fifty pounds towards relieving him in his present necessitous condition.

R. S. Clarke.

To the Justices of the Peace for the City and County of Saint John, the sum of one thousand four hundred and eighty six pounds three shillings and one penny to reimburse the Superintendent of the Temporary Provincial Lunatic Asylum established in the said City, for the support of that Institution in one thousand eight hundred and forty.

Provincial Lunatic Asylum, St. John.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of two hundred pounds to be paid over to the Building Committee of the Roman Catholic Church now erecting in Fredericton, so soon as it shall be certified to His Excellency that a suitable and convenient portion of the said Building is set apart for the use of Her Majesty's Troops in the Garrison of Fredericton belonging to that denomination.

Roman Catholic Church, Fredericton.

To the Board of Health for the County of Northumberland, the sum of four hundred and ninety six pounds six shillings to reimburse the Chairman of the same for extra expenses incurred during the last year, in consequence of Typhus Fever having broken out amongst Emigrants arriving at the Port of Miramichi, which caused great precautionary measures to be adopted for the preservation of the public health.

Board of Health, Northumberland.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of fifty pounds towards paying Stephen Burpe the balance due for building a Public Wharf or Landing in the Parish of Sheffield, County of Sunbury.

S. Burpe, Wharf in Sheffield.

To His Excellency the Lieutenant Governor or Commander in Chief for the time being, the sum of two hundred pounds for one year in aid of a line of Stages between Fredericton and Newcastle, Miramichi, to be paid semi-annually by Warrant on the Provincial Treasurer, under the hand and seal of His Excellency the Lieutenant Governor, to such person or persons as shall be appointed to run such Stage or Stages by two or more Commissioners to be appointed by His Excellency the Lieutenant Governor, who is hereby authorized to make such appointment, on its being certified to His Excellency the Lieutenant Governor or Commander in Chief for the time being by such Commissioners, or the major part of them, that the person or persons who shall be so appointed by such Commissioners as aforesaid to run such Stage or Stages have well and faithfully performed that duty, and run a good, safe and commodious Stage or Stages, well adapted for the accommodation of travellers, twice a week during the year for which such Commissioners shall so certify as aforesaid, unless prevented by the badness of the Road or unavoidable accidents, and that the person or persons so employed and running such Stage or Stages have not less than five changes of good horses on the Road.

Stages between Fredericton and Newcastle.

To His Excellency the Lieutenant Governor or Commander in Chief, a sum not exceeding one hundred pounds to defray the expence which may be incurred in sending two prisoners (whose sentences of death have been commuted to transportation for life,) to England, to be transported from thence to some penal Colony.

Expenses of transporting two prisoners to England.

To His Excellency the Lieutenant Governor or Commander in Chief, a sum not exceeding two hundred pounds to procure Land at Woodstock whereon to erect Barracks.

Land for Barracks at Woodstock.

Expenses of investigation relative to the Burnt Church at Grand Manan.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of seventy three pounds fifteen shilling to provide for expences incurred and services performed in the investigation of the burning of the Church at Grand Manan ; the same to be paid to the Honorable W. B. Kinnear, Queen's Counsel.

"Dunn's Normal School Manual."

To His Excellency the Lieutenant Governor or Commander in Chief, a sum not exceeding seventy five pounds to procure eight hundred copies of "Dunn's Normal School Manual."

Great Coats issued from Ordnance Stores.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of twenty seven pounds eighteen shillings, to be applied to the payment of three hundred and ten Great Coats, issued from the Ordnance Store for the use of the embodied Militia, in March one thousand eight hundred and thirty nine.

Mary Dingee.

To Mary Dingee, Widow of the late James Dingee, the sum of fifteen pounds to assist her in her present destitute situation.

Alterations Supreme Court and Judges' Room.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of one hundred pounds to defray the expense of certain alterations deemed necessary in the Supreme Court and Judges' Room.

Justices of York, New Gaol.

To the Justices of the Peace for the County of York, the sum of one thousand pounds, in aid of assessments on said County, for the erection of a New Gaol ; the same not to be drawn from the Treasury until one thousand eight hundred and forty two.

Mechanics' Institute, Saint John.

To the Mechanics' Institute of Saint John, the sum of five hundred pounds towards relieving them from the heavy debt incurred in the erection of a building in that City, agreeably to the prayer of their Petition.

Ratchford & Brothers, to rectify mistake in return Duties.

To Messieurs Ratchford and Brothers, of Saint John, the sum of twenty seven pounds to reimburse them for short amount of Duties on Goods destroyed at the great fire in Saint John in one thousand eight hundred and thirty nine, a mistake having occurred by a transposition of figures in bringing the amount of their claims under the notice of the House, it being stated three hundred and sixty nine pounds fourteen shillings and five pence instead of three hundred and ninety six pounds fourteen shillings and five pence.

Packet between Prince Edward Island and Bay Verte.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of forty pounds for the encouragement of a Packet between Prince Edward Island and Bay Verte ; the same to be paid to William Weeks or such other person as may establish the same, (the former failing to do so,) a certificate being produced from Commissioners to be appointed for the purpose, that the said Packet has run at least once a fortnight during the season, touching at Bedeque and Charlotte Town each alternate voyage.

Wharf outside Harbour of Saint Andrews.

To His Excellency the Lieutenant Governor or Commander in Chief, a sum not exceeding two hundred pounds, to be applied in the erection of a suitable Public Wharf outside the Harbour of Saint Andrews, for the accommodation of Steam Boats and other craft.

Stages between Fredericton and Saint Andrews.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of one hundred and fifty pounds towards the encouragement of a Stage between Fredericton and Saint Andrews during the present Winter ; the same to be paid to the party who has run the same, when it shall be properly certified to His Excellency the Lieutenant Governor or Commander in Chief that the said service has been properly and faithfully performed.

J. Whitney, Steam Boat Saint John to Boston.

To James Whitney, of Saint John, the sum of five hundred pounds in aid of his laudable undertaking in building and running an efficient Steamboat between Saint John and Boston in the United States.

Packet between Shediac and Be-

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of

of forty pounds to encourage the running a Packet (sufficient for the conveyance of Passengers, &c.) between Shediak, in the County of Westmorland, and Bedeque, in Prince Edward Island; to be paid the person running the same, upon its being certified to His Excellency that the said Packet has been running at least once in each week from the opening of the navigation to the close thereof.

deque in Prince Edward Island.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of ten pounds to be paid Phillip White for ferrying the Mails over the Washademoac Lake, upon satisfactory information being furnished the Commander in Chief that the service has been properly performed.

Philip White, ferrying Mails over the Washademoac Lake.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of one hundred pounds in aid of individual subscription for the building of a Wharf at Flagg's Beach on the Island of Grand Manan; the said sum not to be drawn from the Treasury until the Land on which the same may be erected and right of way be conveyed to the Justices in Session of the County of Charlotte for the use of the public.

Wharf at Flagg's Beach, Grand Manan.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of one hundred pounds towards a Floating Bridge across the Jemseg; this sum to be in addition to the grant already made for this service.

Floating Bridge across the Jemseg.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of one hundred pounds to be paid to James R. Tupper for keeping up a conveyance between Woodstock and the Grand Falls.

J. R. Tupper, conveyance between Woodstock and the Grand Falls.

To the Woodstock Stage Coach Company, the sum of two hundred pounds to enable them to keep up with efficiency that establishment.

Woodstock Stage Coach Company.

To James Bradley and James Green, the sum of one hundred and fifty pounds towards remunerating them for establishing and keeping up an efficient Stage Communication between Saint John and Fredericton, and particularly at times when the navigation of the River is obstructed and teams are prevented from running on the Ice.

J. Bradley and J. Green, Stage between Fredericton and St. John.

To John Brown, the sum of fifty pounds to remunerate him for running a Stage between Fredericton and Woodstock, it appearing that the Petitioner lost a pair of Horses of value equal to this grant in the ice, and rendered useless another pair.

J. Brown, Stage between Fredericton and Woodstock.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of seventy five pounds for the purpose of erecting a Wharf between Split Rock and the Shore, in the Falls near Saint John.

Wharf at Split Rock, Saint John Falls.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of two hundred and fifty pounds to aid John C. Vail and George Pitfield, proprietors of the Victoria Stage Coach Line, in keeping up the present efficient establishment on the Great Road leading from Saint John to Dorchester.

Victoria Stage Line from Dorchester to Saint John.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of fifty pounds in aid of individual subscription, for the purpose of erecting a Public Wharf in the Parish of Sheffield, County of Sunbury; the said sum not to be drawn until it be duly certified to the Commander in Chief that a sum in addition to the grant be subscribed and paid, sufficient to complete the Wharf.

Wharf in Sheffield.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of twenty pounds to be applied in placing Buoys in the Harbour of Shediak.

Buoys, Harbour of Shediak.

To the Magistrates of the County of Westmorland, the sum of twenty pounds to be applied towards the maintenance of a Ferry between Dorchester and Hopewell.

Ferry, Dorchester to Hopewell.

To Her Majesty's Justices of the Peace for the County of Carleton, the sum of one hundred pounds to enable them to pay off a part of the County Debt.

Justices of Carleton, County debt.

To

A. Goodfellow,
Bartibog Bridge.

To Alexander Goodfellow, the sum of one hundred and thirty four pounds eleven shillings, expended by him in repairing Bartibog Bridge, situate between the Parishes of Newcastle and Alnwick, in the County of Northumberland.

S. Z. Earle.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of twenty five pounds to remunerate Sylvester Z. Earle for expending the Legislative Grants towards the erection of a Bridge at Hampton Ferry.

E. Ward, Report-
ing Debates.

To Edmund Ward, the sum of one hundred and forty pounds to remunerate him for services performed in reporting and publishing the Debates of this House during the present Session.

Hammond River
Bridge.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of one thousand two hundred and sixty six pounds fourteen shillings to enable the Supervisor on the Great Road from Saint John to Hayward's Mills to pay off the balance due on the contract for Hammond River Bridge.

Royal Road.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of nine pounds nine shillings and two pence, being over expenditure made by the Supervisor on the Royal Road; and a further sum of eleven pounds one shilling and eight pence to enable the Supervisor to pay for unfinished Contracts on the same Road.

J. Holbrook,
Census Return.

To James Holbrook, Esquire, the sum of fifty pounds to remunerate him for services in compiling the Census Returns for the Province during the last year.

Stage Coaches,
Dorchester to Mi-
ramichi.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of two hundred pounds to encourage the running a covered Stage Coach from Dorchester to Miramichi; such sum to be paid to the person or persons who shall run a Stage Coach for the space of one year, at least twice a week, to be certified by Commissioners to be appointed by His Excellency the Lieutenant Governor for that purpose.

Stage Coach from
Miramichi to Ba-
thurst.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of one hundred pounds to encourage the running a Stage Coach from Miramichi to Bathurst; such sum to be paid to the person or persons who shall run the Stage Coach for the space of one year, at least twice a week, the same to be certified by Commissioners to be appointed by His Excellency the Lieutenant Governor for that purpose.

J. Hewitt and
others, Winter
Line of Stages
from Fredericton
to Saint John.

To James Hewitt, Thomas Corrigan, James Leech, and John Winters, proprietors of the daily four-horse Winter Line between Saint John and Fredericton, the sum of fifty pounds each, in consideration of the great expenses to which they have been subject in keeping up that efficient establishment.

James M. Kelly,
Stage between
Fredericton and
Miramichi.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of fifty pounds in addition to the sum already granted, the same to be paid James M. Kelly in further aid for running a Stage between Fredericton and Miramichi, subject to the same restrictions as the former grant.

Michael Quigg.

To Michael Quigg, the sum of twenty five pounds to compensate him for labour performed on the Nerepis Road, agreeably to the report of the Select Committee.

Justices of West-
morland, Public
Wharf.

To the Justices of the Peace of the County of Westmorland, the sum of twenty five pounds, in aid of individual subscription, to enable them to complete a public Wharf at Dixon's Landing, in the Parish of Sackville.

Ann Grant.

To Ann Grant, the widow of an old Soldier of the Revolutionary War, the sum of ten pounds pursuant to a Law of this Province, for the year ending January last; she having by mistake neglected to lay her claim before the Sessions of the County of York at the Sessions held at that time.

Survey of West-
morland County
Lines.

To His Excellency the Lieutenant Governor or Commander in Chief, a sum not exceeding one hundred pounds to provide for the completion of the survey of the

the Westmorland County Line, and for prolonging the north Line of Saint John County until it intersects Westmorland.

To Jane M'Cardy, the widow of a meritorious Officer of the Revolutionary War, the sum of twenty pounds to assist her in her present circumstances. Jane M'Cardy.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of three hundred pounds towards furnishing the Legislative Council Chamber. Legislative Council Chamber.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of one hundred and fifty pounds for a Packet to keep up the communication between Saint Andrews and West Isles, Campo Bello and Grand Manan. Packet between Saint Andrews, West Isles, Campo Bello and Grand Manan.

To the Reverend Doctor Gray, the Honorable William Black and James White, Esquire, the sum of fifty pounds to be applied by them towards the expenses of a School in the City of Saint John, for the education of the children of the colored population of that City. School for Colored Children in Saint John.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of two hundred pounds for the purpose of encouraging a line of Stages on the Great Road from Saint John to Saint Andrews the past year; the same not to be paid until satisfactory certificates be furnished the Commander in Chief for the time being, that the said Stages are efficient, and have run at least three times a week during the year. Stages, Saint John to Saint Andrews.

To Joseph Walton, of Saint Andrews, in the County of Charlotte, the sum of thirty three pounds fifteen shillings; the same being the balance reported to be due to him on account of balance of purchase money over paid on two thousand acres of Land, by a Select Committee of this House. Joseph Walton.

To Hugh Irving, of Saint David, in the County of Charlotte, the sum of nineteen pounds ten shillings as remuneration in part for money paid towards the purchase of a lot of Land, and for losses sustained in consequence of not obtaining the said Land. Hugh Irving.

To Thomas Carson, of Saint Patrick, in the County of Charlotte, the sum of forty five pounds to reimburse him in part for losses sustained in the purchase and improvement of a lot of Land bought at public sale, said Land having since proved to have been previously granted; the sum granted not to be paid said Carson until he make compensation to Terence Leonard for monies paid by him for Land to said Carson who could give no title to the same. Thomas Carson.

To the Justices of the Peace for the County of Westmorland, the sum of thirty pounds to enable them to complete the Ferry Landing near Calhoun's in Hopewell. T. Leonard.

To John Simpson Queen's Printer, the sum of two hundred and sixty two pounds twelve shillings and six pence, being amount of his account for sundry publications in the Royal Gazette. Ferry Landing near Calhoun's.

To John Simpson, Queen's Printer, the sum of five hundred and forty six pounds four shillings, being balance of his account for printing Laws, Journals, &c. in one thousand eight hundred and forty. J. Simpson, Printing.

To John Simpson, Queen's Printer, the sum of one hundred and forty six pounds six shillings, being amount of his account for printing Journals, &c. of the Legislative Council in one thousand eight hundred and forty.

To Xenophon Jouett, late Usher of the Black Rod to the Honorable Her Majesty's Council, the sum of twenty five pounds in consideration of his long services and advanced age, having served that body nearly thirty eight years. Xenophon Jouett.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of two hundred and eighty six pounds nine shillings and one penny to reimburse the Commissioners for exploring in the year one thousand eight hundred and forty, a line of Road between Woodstock and the Grand Falls. Exploration, Woodstock to Grand Falls.

To

Exploration
Point Wolfe to
Quaco.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of thirty eight pounds four shillings and nine pence to provide for the balance due the Commissioners for exploring a new Line of Road from Point Wolfe to Quaco.

Gage Town Canal
expenses.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of thirty two pounds two shillings and three pence to reimburse the Commissioners of the contemplated Gage Town Canal expenses incurred by them.

Road, Fredericton
to New Maryland.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of eighty four pounds ten shillings to reimburse the Commissioners for over expenditure on the Road from Fredericton to the New Maryland Settlement.

Province Hall and
out buildings.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of five hundred pounds to reimburse the Commissioners for improving the Province Hall and erecting out buildings, the balance due them.

J. Simpson,
Printing.

To John Simpson, Queen's Printer, the sum of one hundred and fifty pounds towards printing the Laws of the present Session.

Agricultural So-
cieties.

To His Excellency the Lieutenant Governor or Commander in Chief, not exceeding the following sums for the support and encouragement of Agricultural Societies in the respective Counties :

Restigouche, one hundred pounds ;
Westmorland, one hundred pounds ;
Queen's, one hundred pounds ;
Gloucester, one hundred pounds ;
King's, one hundred pounds ;
Sunbury, one hundred pounds ;
Northumberland, one hundred pounds ;
Saint John, one hundred pounds ;
York, one hundred pounds ;
Kent, one hundred pounds ;
Charlotte, one hundred pounds ;
Carleton, one hundred pounds :

Which sums or aliquot portions thereof shall be paid to the order of the President of the respective Agricultural Societies when it shall be certified to His Excellency that the Inhabitants of the several Counties have subscribed and paid a sum equal to one half the respective sums above mentioned, or to the said aliquot portions thereof, which sums so paid shall be accounted for to the Legislature : Provided always, that in such Counties wherein District Agricultural Societies be formed, embracing one or more Parishes only, it shall and may be lawful for His Excellency to apportion the amounts so to be granted to those Counties among the said District Societies.

Jesse Mills.

To Jesse Mills, the sum of fifteen pounds three shillings and one penny to remunerate him for work performed on the Road leading from Fredericton to Pet- itcodiac, the same to be taken from the money granted for that road.

J. & H. Kinnear,
return duties.

To J. and H. Kinnear, the sum of twenty two pounds seven shillings and eleven pence to reimburse them for Duties paid on forty five hogsheads Molasses exported to Halifax in one thousand eight hundred and thirty nine.

Robert Gowan,
extra services.

To Robert Gowan, the sum of fifty pounds for extra services in the Crown Land and Surveyor General's Office.

Landings, N. & S.
sides of Richibuc-
to River.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of forty one pounds one shilling and one penny to reimburse the Commissioner for erecting Public Landings on the North and South sides of the Richibucto River the amount over expended by him.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of sixteen pounds ten shillings to reimburse the Commissioners for building a Public Wharf at Shediack, the amount over expended by them.

Wharf at Shediack.

To Moses H. Perley, Esquire, the sum of five hundred pounds, being amount of deposit paid by him on a purchase of Crown Lands in the County of York, upon a survey of which it was discovered that a large portion of the Land agreed for was not within the bounds prescribed, agreeably to the Report of the Select Committee at the last Session of the Legislature.

M. H. Perley, return of deposit on account of Lands.

To the Commissioners appointed to improve the navigation of the Grand Lake, by the removal of a Bar at the entrance of the Jemseg, the sum of five hundred pounds towards the completion of that object.

Bar at the Jemseg.

To Francis Beverly, the sum of fifty pounds, being amount of his Account for stitching Acts of Assembly for the last three years.

F. Beverly.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of five hundred pounds towards the erection of a Public Steam Boat Landing at Indian Town, in the Parish of Portland, County of Saint John.

Steam Boat Landing at Indian Town.

To John Simpson, the sum of one hundred and sixteen pounds, being balance of his Account for printing the Decisions of the Supreme Court, as reported by and for the late G. F. S. Berton, Esquire.

J. Simpson, decisions in Supreme Court.

To the Commissioners of Government House, the sum of four hundred and thirty pounds to pay off James Taylor, Senior, and Company, the balance due on the Government House Accounts to March one thousand eight hundred and forty.

Government House.

To Bridget M'Donald, whose husband came to his death in assisting Her Majesty's Troops on their march to Quebec, the sum of ten pounds to assist her in her present destitute circumstances.

B. M'Donald.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of thirty six pounds six shillings and nine pence to be applied in the payment of Storage, &c. of Militia Clothing, from November one thousand eight hundred and thirty nine, to March one thousand eight hundred and forty one.

Storage of Militia Clothing.

To His Excellency the Lieutenant Governor or Commander in Chief, a sum not exceeding two hundred and twenty five pounds to be applied for the erection of a Building for the Militia Arms and Clothing.

Depot for Militia Arms, &c.

To William M'Donald, the sum of twenty pounds for teaching a School in the Parish of Sackville, County of Westmorland, in the year one thousand eight hundred and forty, in lieu of any sum he may be entitled to under the Act relating to Parish Schools.

W. M'Donald.

To Robert Matheson, the sum of twenty pounds for teaching a School in the Parish of Bathurst, County of Gloucester, for the year one thousand eight hundred and forty; the above being in lieu of any allowance to which he might have been entitled to under the Act relating to Parish Schools.

R. Matheson.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of one hundred and sixty eight pounds eighteen shillings and seven pence, to provide for the payment of the Superintendent of Light Houses for the year one thousand eight hundred and forty, the balance of his salary at the rate of two hundred and fifty pounds per annum, agreeably to the report of the Committee on Light Houses.

Superintendent of Light Houses.

To the Justices of the Peace of the City and County of Saint John, the sum of one thousand pounds, in aid of Assessments for building a new Gaol in the said City, the same not to be drawn from the Treasury until one thousand eight hundred and forty two.

New Gaol in Saint John.

To Henry Chubb, the sum of sixty one pounds ten shillings, being amount of his printing.

H. Chubb, printing.

his account for printing Doctor Gesner's third Geological Report, and Captain Robb's Report on the Fisheries and the navigation of the Bay of Fundy.

Kent and Northumberland division Lines.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of fifty pounds towards running the Division Lines between Kent and Northumberland.

Joint Library of Council and Assembly.

To the Joint Library Committee of the Legislative Council and Assembly, the sum of two hundred pounds sterling towards completing the necessary importations and fitting up the Library in pursuance to the Resolution of this House of the eighteenth instant.

Service of Plate for the Lieutenant Governor.

To such Commissioner or Commissioners as may be appointed by His Excellency the Lieutenant Governor, such sum as will be sufficient to purchase a Bill or Bills of Exchange on London, to the amount of one thousand five hundred pounds sterling, to provide for the purchase of a service of Plate on His Excellency's retirement from the Government of this Province, agreeably to the Resolution which passed the House on Thursday the eighteenth of March instant.

Promotion of Immigration.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of seven hundred and fifty pounds for the purpose of encouraging and promoting Immigration to this Province: the said sum to be apportioned among the several Counties within the same, at and after the rate of sixty pounds to each County, and to be paid accordingly, on a satisfactory certificate being furnished the Commander in Chief for the time being, that an equal amount has been subscribed and paid by any persons associated together for the purposes intended by this grant in the County for which such appropriation is to be applied, which said sum for such County, together with the said grant, making together a sum not less than one hundred and twenty pounds for every County which may avail itself of such appropriation, to be expended as may be best considered advisable for the encouragement of Immigration by any such Association, and that an account of the expenditure be laid before the Legislature.

Printing decisions in the Supreme Court.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of one hundred and twenty five pounds to provide for the printing of the Decisions of the Supreme Court as reported by D. S. Kerr, Esquire.

Wharf and Landing at Nixon's Ferry, Fredericton.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of one hundred and twenty one pounds and four pence to reimburse the Commissioner for erecting a Public Wharf and Ferry Landing at Nixon's Ferry, Fredericton, the balance due him.

Government House.

To the Commissioners of Government House, the sum of one thousand two hundred and sixty five pounds twelve shillings and eleven pence to reimburse James Taylor, Senior, and Company, for monies advanced for repairs of Government House, new out houses, fences, &c. in the year one thousand eight hundred and forty.

Keepers of Light Houses, additional grants.

To the Keeper of the Light House on Gannet Rock, the sum of thirty five pounds; to the Keeper of the Light House on the Thrump Cap, at Quaco, fifty pounds; and to the Keeper of the Light House on Machias Seal Island, the sum of ten pounds, in addition to the appropriations made for these services on twenty seventh January last; the same to be taken from the Light House Fund.

W. Segee.

To William Segee, Junior, one of the Stagemen of this House, the sum of fifteen pounds, being amount of Duties paid by him on a pair of Horses and a Coach imported from the United States.

Canal between South Bay and Musquito Cove.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of one hundred and fifty pounds for the purpose of widening and deepening the Canal between South Bay and Musquito Cove near the mouth of the River Saint John.

To

To Samuel Halstead, the sum of fifteen pounds to remunerate him in part of expenses incurred as a Commissioner of Bye Roads in Westmorland, by reason of an indictment preferred against sundry persons resisting him in the execution of his duty.

S. Halstead expenses as a Road Commissioner.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of ten pounds to enable James Clarke, a new settler on the Great Road from Fredericton to Saint Andrews, to build a Barn at his place of residence on the said Road; the same to be paid when it shall be certified to His Excellency that a Barn with proper stalls for the accommodation of four horses has been completed.

J. Clarke, settler on road from Fredericton to Saint Andrews.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of twenty pounds to explore and open a line of Road upon the South West Branch of the River Miramichi from Porter's Brook to the Upper Settlement, a distance of four miles, on the dividing line of the Counties of York and Northumberland.

Road from Porter's Brook to the Upper Settlement.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of fifty pounds for repairing and building the Bridges on the Road from the Rock at Head Harbour Light to the Island of Campo Bello; and also fifty pounds towards making a Road from the Public Road, near Tingley's, to the Light House at Cape Enrage, agreeably to the report of the Committee on Light Houses of the twenty sixth February last, the same to be taken from the Light House Fund.

Bridges from the Rock at Head Harbour Light to Campo Bello, &c.

The sum of ten pounds appropriated last Session for the Road leading from Thomas Gee's to a back Settlement in the County of Carleton, be re-appropriated, and that the same be granted for the new Wharf near the Meduxnikick Bridge in the said County.

Wharf near the Meduxnikick.

The sum of one hundred pounds in the hands of the Commissioners for extending the Breakwater in Quaco, be re-appropriated and laid out as follows: on the new line of Road from Vaughan's Creek in Quaco to Noah Tabor's, Shepody Road, laid out by Deputy Surveyor Kelleher.

Vaughan's Creek in Quaco to Tabor's on Shepody road.

To Edmund Ward, the sum of fifty pounds to remunerate him in part for expenses incurred in printing an account of New Brunswick.

E. Ward, publishing.

To John Clark, Junior, Contractor for the Hammond River Bridge, the sum of one hundred pounds to reimburse him for work done on same beyond his contract.

J. Clark, Hammond River Bridge.

To William Watts, the sum of twenty pounds for his praiseworthy exertions as a Nurseryman, Seedsman, and Florist.

W. Watts.

To T. C. Gallagher, the sum of twelve pounds fifteen shillings and eight pence to reimburse him for duties paid on manufactured Treenails imported from the United States for the Great Bridge erected in the Parish of Sackville on the Great Road of Communication between Saint John and the Nova Scotia Line.

T. C. Gallagher, return Duties.

To His Excellency the Lieutenant Governor or Commander in Chief, a sum not exceeding three thousand pounds sterling to procure a proper Copper Coin for the Province.

Copper Coinage.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of one hundred and fifty pounds to extend the division Line of the Counties of King's, Queen's and Sunbury, with the Counties of Kent and Northumberland.

County Lines.

To Elizabeth Gibb, of Saint Andrews, widow of the late William Gibb, the sum of ten pounds to aid her present distressed and destitute condition, her husband having lost his life in consequence of injury received while adjusting the Lamps at the Light House in the Bay of Fundy in the year one thousand eight hundred and forty, and that no further grant be made for this widow.

E. Gibb.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of

Staff Adjutant of Militia.

of one hundred and fifty pounds to provide for the services of the Staff Adjutant of Militia in drilling the Frontier Battalions of Militia for the present year, and a sum not exceeding one hundred and fifty pounds to pay unavoidable expenses attendant upon those important services.

A. M'Lean, road
Fredericton to
Petitcodiac.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of forty pounds eleven shillings to pay Archibald M'Lean balance of labour performed on the Road from Fredericton to Petitcodiac; the same to be taken from that part of the grant for the said Road leading from Fredericton to Salmon River.

T. Davis, Bridge
over the Magaguadavic.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of forty two pounds seventeen shillings and six pence to remunerate Thomas Davis for balance due him for building a Bridge over the River Magaguadavic, at the Upper Mills, so called.

James Schoales,
bounty.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of twenty five pounds to be paid to James Schoales as a bounty for the erection of a superior Flour and Oat Mill and Kiln in the Emigrant Settlement in the Parish of Upham, King's County.

Postage of Legis-
lature.

To William B. Phair, Esquire, Postmaster at Fredericton, the sum of four hundred and forty nine pounds six shillings and eight pence for the Postage of the Legislature during the present Session.

Legislative con-
tingencies.

To the Clerk of the House of Assembly, the sum of two thousand and ninety five pounds fourteen shillings and one penny for the Contingent Expenses of the present Session.

Money to be paid
by Warrant.

II. And be it enacted, That all the before mentioned sums of money shall be paid by the Treasurer of the Province, by Warrant of His Excellency the Lieutenant Governor or Commander in Chief for the time being, by and with the advice of Her Majesty's Executive Council, out of the monies now in the Treasury, or as payment may be made at the same.

CAP. XXXVII.

An Act to provide for opening and repairing Roads and erecting Bridges throughout the Province.

Passed 26th March 1841.

I. **BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That there be allowed and paid out of the Treasury of the Province to such persons as His Excellency the Lieutenant Governor or Commander in Chief for the time being shall appoint, in addition to the sums already granted, the following sums for the purposes hereinafter mentioned.

Wharf in
Sheffield.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of fifty pounds towards paying Stephen Burpe the balance due for building a public Wharf or Landing in the Parish of Sheffield, County of Sunbury.

Great Falls to
Little Falls of the
Madawaska and a
Bridge.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of three thousand five hundred pounds to improve the Road from the Great Falls to the Little Falls of the Madawaska, and to build a Bridge at the Grand Falls, and the further sum of one thousand five hundred pounds for the same Road, so soon as the amount due from the Disputed Territory Fund is paid over to the Treasurer.

Saint John to the
Nova Scotia Line.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of two thousand five hundred pounds for the Road from Saint John to the Nova Scotia Line, to be appropriated as follows:—For that part of the Road leading from

from Saint John to Hayward's Mills, one thousand one hundred and fifty pounds, of which two hundred pounds to be laid out on the Saint John Great Marsh, and two hundred and fifty pounds from the Marsh to Hammond River Bridge; from the head of the Marsh, near Ellison's, to Hammond River, near Beattie's, one hundred pounds; and for the Road leading from Hayward's Mills to the Nova Scotia Line, one thousand two hundred and fifty pounds, such part of this sum to be expended on the Tantamar Marsh (old Road) as may be necessary to keep the same in repair.

To the Mayor, Aldermen and Commonalty of the City of Saint John, the sum of one thousand two hundred pounds towards the Piers and Landing Places on the east and west sides of the Harbour of Saint John, in connexion with the several Great Roads, by the establishment of Steam Ferry Boats for the safer and speedy conveyance of Her Majesty's Mails and Passengers across the said Harbour.

Corporation of St. John, for Piers and Landing places.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of one thousand pounds for the improvement of the Great Road from Fredericton to Saint John *via* Nerepis.

Fredericton to St. John, *via* Nerepis.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of two hundred pounds for the Great Road from Gagetown to the Nerepis Road.

Gagetown to Nerepis road.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of one hundred and fifty pounds for the Great Road from Dorchester to Shediac.

Dorchester to Shediac.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of one hundred and twenty pounds for the Great Road from Shediac to the Bend of Petitcodiac.

Shediac to Bend of Petitcodiac.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of five hundred pounds for the Great Road from Richibucto to Chatham.

Richibucto to Chatham.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of eight hundred pounds for the Great Road between Newcastle and Bathurst; one hundred pounds, part of which sum, to be expended between Martin Lyon's Cove and Goodfellow's at the entrance of the Bathurst Road.

Newcastle to Bathurst.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of two thousand pounds for the Road from Bathurst to Campbelltown; five hundred pounds of which to be expended in the County of Restigouche, and the remainder on such parts of the Line as at the discretion of the Supervisor may most need improvement, corresponding as near as possible with the appropriation made for the same Line at the last Session.

Bathurst to Campbelltown.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of four thousand pounds for the Road from Fredericton to Woodstock, and the Bridges on the same.

Fredericton to Woodstock.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of six hundred pounds for the improvement of the Road from Woodstock to the Arestook.

Woodstock to Arestook.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of seven hundred pounds to open a new Line of Road between the Arestook and the Grand Falls.

Arestook to Grand Falls.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of five hundred pounds for the Great Road leading from Fredericton to the Finger Board; one hundred and fifty pounds of which to be applied towards the erection of Bridges in Sunbury; one hundred pounds towards the construction of a Floating Bridge across the Jemseg; and the remainder to be expended between Washademoac and the Finger Board.

Fredericton to the Finger Board.

To,

Bellisle to Saint John.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of four hundred pounds for the Great Road from Bellisle to Saint John.

Fredericton to Newcastle.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of three thousand pounds for the Great Road from Fredericton to Newcastle.

Fredericton to Saint Andrews.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of two thousand pounds for the Great Road from Fredericton to Saint Andrews.

Salisbury to Hopewell.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of six hundred pounds for the Road from Salisbury to Hopewell; fifty pounds of which to be expended in building a Bridge over the River at Ralph Mittin's.

Shediac to Richibucto.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of four hundred pounds for the Great Road from Shediac to Richibucto.

Woodstock to Houlton.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of two hundred pounds for the Great Road from Woodstock to Houlton.

Waweig to Saint Stephens.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of sixty pounds for the Road from Waweig to Saint Stephen; twenty pounds of the same to be applied towards the building of a Bridge now in progress over Post's Cove.

Hammond River to Hopewell.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of two hundred pounds for the Road from Hammond River to Hopewell; one half of which sum to be expended in King's County, from Hammond River onwards.

Loch Lomond to Sussex Vale.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of five hundred pounds for the Road from Loch Lomond to Sussex Vale.

Oromocto to Gaagetown.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of one hundred and fifty pounds for the Road from Oromocto to Gaagetown.

Mill Bridge, and Indian Town road.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of five hundred pounds for completing the widening of the Mill Bridge, and for the improvement of the Road thence to Indian Town.

Bend of Petitcodiac to Richibucto River.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of two hundred pounds for the Road from the Bend of Petitcodiac to the head of Richibucto River.

Red Rock to the Nerepis.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of one hundred pounds for improving the Road between Red Rock and the Nerepis; fifty pounds of which to be expended in Queen's County, and the remaining fifty in Charlotte County.

Fredericton to the Bend of Petitcodiac.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of three thousand pounds for the Road from Fredericton to Bend of Petitcodiac; one half of which to be expended from Fredericton to Salmon River, and the remainder thence onwards.

Oak Bay to Bridge at Eel River.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of seven hundred and fifty pounds for the Road from Oak Bay to the Bridge at Eel River.

Bridge at Brockway's to lower Bridge.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of two hundred pounds for the Bridge at Brockway's, Magaguadavic, to the lower Bridge at the Saint Croix.

Grand Lake to Richibucto River.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of seven hundred and fifty pounds to open and improve the new Line of Road between the Grand Lake and Richibucto River.

Bridge over the Magaguadavic.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of four hundred and sixty nine pounds to enable His Excellency to defray the cost of building a Bridge across the Magaguadavic River in the year one thousand eight

eight hundred and forty, under the superintendence of the Honorable Thomas Wyer, the Commissioner appointed for that purpose; and the further sum of twenty five pounds as a compensation to the said Commissioner for his services.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of twelve hundred pounds for the improvement of the Great Road from Saint Andrews, and for the erection of Bridges on the same.

Great road from Saint Andrews and Bridges.

The sum of three hundred pounds granted in the year one thousand eight hundred and thirty seven to assist individual subscription towards removing a sunken ship in the mouth of the Harbour of Bathurst, in the County of Gloucester, be re-appropriated as follows, that is to say,—For erecting a Bridge over Middle River, at the head of Bathurst Harbour, and completing the Road towards the said Harbour from the Widow White's to Little River Mills.

Re-appropriation.

Bridge over Middle River and road to the Harbour.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of two hundred and fifty pounds to pay the Commissioner appointed last year to contract for and provide materials for the building of a Bridge over the Waweig River, in the County of Charlotte.

Bridge over the Waweig.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of one thousand two hundred pounds to enable the Commissioners to pay off the contractor for building a Bridge over the Arestook River, and to make approaches thereto.

Bridge over the Arestook.

The sum of fifty pounds, a part of the sum appropriated during the present Session for the improvement of the Road between the Washademoac and the Finger Board, be applied towards the building of a Bridge over Long Creek, Washademoac.

Bridge over Long Creek.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of nine hundred pounds to provide for the cost of approaches to the Oromocto Bridge, on both sides that River.

Approaches, Oromocto to Bridge.

The sum of ten pounds granted in the year one thousand eight hundred and thirty eight for building a Drawbridge at Duck Creek, in the Parish of Gagetown, be re-appropriated, and applied towards building a Bridge over Long Creek, Washademoac.

Re-appropriation. Bridge over Long's Creek.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of twenty five pounds for the purpose of exploring a Road from the Penniack to the Miramichi Portage, through a tract of ungranted Land fit for settlement.

Exploration, Penniack to Miramichi Portage.

KING'S COUNTY BYE ROADS.

Ten pounds for the road from Deforest's Lake to John Sherwood's Mill.

Bye Roads in King's County.

Ten pounds to complete the Bridge at the Pequoket Brook, and improve the approaches thereto.

Ten pounds for the Pequoket road, leading from the Midland to the Kennebecasis.

Ten pounds for the road from near Captain Perry's to the Widow Flewelling's.

Fifty pounds for the new road by the point of the Mountain, between Waddle's Mill and the Shipyard.

Ten pounds to build a Bridge across the Big Stream on the road from White's Mill to the Midland.

Ten pounds for the new road between White's Mill Stream and Lowel's.

Ten pounds for the road from Riley's, on the Neck road, to John Parker's.

Ten pounds for the road from Henry William's, Long Reach, to the Midland road.

Ten pounds for the Neck road, from near Seely's Point, Long Reach, to James White's, Kennebecasis.

Ten

King's County
Bye Roads,
Continued.

- Ten pounds for the Midland road between Long's and the Neck road.
- Ten pounds for the road from Henderson's Cove to the Chops of the Milkish.
- Twenty pounds for the Kingston road, from near Sugget's, Long Reach, to John Brittain's, Esquire, and thence to the Lake.
- Ten pounds for the road from James Cosman's to the Kingston road, towards the Long Reach.
- Ten pounds to improve the Shore road from Bostwick's to the Westfield Parish Line.
- Fifteen pounds for the road and Bridges leading from near the mouth of James Peters' Mill Stream to William Peters'.
- Ten pounds for the road from William Peters' to the Court House.
- Ten pounds for the road from the Post road, Grand Bay, to the Fowler Settlement, so called, in Westfield.
- Ten pounds for the road from the Post road to John Stevenson's in the Finlay Settlement.
- Fifteen pounds for the road from the Post road to Messieurs Woodward's Mills.
- Fifteen pounds for the road from Robert Cheyne's to the road leading from Salmon Rock to Westfield Church.
- Ten pounds for the road from Salmon Rock to Kennedy's Mills.
- Ten pounds for the road from the Bridge over Goose Creek towards Westfield Church.
- Ten pounds for the road from the Long Reach to the Cheyne Settlement.
- Ten pounds for the road through second tier of Lots from Greenwich Parish Line to Cheyne's.
- Fifteen pounds for the road from Moses Kemball's to Stephen Cronk's; one half of said sum to be expended between the road across second tier of Lots and Cronk's.
- Ten pounds for the road from Joseph Barlow's eastern line to Thomas Fenwick's northern line.
- Ten pounds for the road from Beattie's Point, Milkish, to Kingston Parish Line.
- Fifteen pounds to improve the Public Landing over the Flats at the entrance of the Milkish Creek.
- Fifteen pounds for the road from James B. Lyon's, Long Reach, to the Milkish.
- Ten pounds for the road from the School House, near Harding's, to Land's End.
- Fifteen pounds for the road from Kingston Parish Line, on the Long Reach, to George Harding's.
- Ten pounds for the road from William Vanwart's upper line towards Moses Brundage's in Greenwich.
- Twenty pounds for repairing the Bridge near Zebulon Jones', and improving the approaches thereto.
- Fifteen pounds for the road from the front road, near James Bulyea's, Junior, to the cross roads in the second tier of Lots.
- Ten pounds for the road from William Bogle's to the Yorkshire road.
- Ten pounds for the Yorkshire road, between the County Line and the Widow Lynch's.
- Ten pounds for the road from Wayland's, on the Menzie road, towards the Yorkshire road.
- Ten pounds for the road from Coughlan's Mill, through by Wallis', towards the Shore.
- Ten pounds for the road from the Main road, near the Widow Brown's, towards James M'Keel's.

Ten

Ten pounds for the road from Thomas Wallis', across the Gore, towards the Crabbe Settlement.

King's County
Bye Roads,
Continued.

Ten pounds for the road from Burk's, in the second tier of Lots, to John Trott's.

Ten pounds for the road from the Widow Merritt's, across the Lots, to the road running along the side of the Jenkin's Lot.

Ten pounds for the road from the main Bellisle road to John Vanwart's.

Ten pounds for the road leading from near Spragg's Point to the Henderson Settlement, and to improve a Hill thereon.

Ten pounds for the road from Donald Buchanan's to the junction of the road near Thomas Spragg's.

Ten pounds for the Bridge over Spragg's Brook.

Ten pounds for the Bridge and road near John Willigar's.

Ten pounds for the road from James Lake's to the back Settlement.

Ten pounds for the road leading through the back Lands from the James Lake road towards Michael Collins'.

Ten pounds for the road from the County Line, near Maxwell's, to the main road leading to Redstone's Mill, by Batison's.

Ten pounds for the road from the Maxwell road to the School House near Donald M'Laughlin's.

Ten pounds for the road from Elijah Spragg's to Robert Spragg's.

Fifteen pounds for the road from Thomas White's to John Northrup's.

Ten pounds for the road from the Bridge near Samuel Marvin's to Frederick Raymond's.

Twenty pounds for the road from the head of Bellisle to English's, leading towards the Mill Stream.

Ten pounds for the road from John Ingram's to the School House between James Smith's and James Shanklin's.

Ten pounds for the road from Redstone's Mill to William Carter's.

Ten pounds for the road from Doctor Wilson's to John Foster's.

Ten pounds for the road from Thomas Henderson's to Samuel Kiersted's.

Ten pounds for the road from Robert Noble's to the back Settlement.

Twenty five pounds for the road from Hales' place to near John Hay's by the Widow Giou's.

Twenty pounds for the Bridge over the Brook near Thomas Coates' Mill, in addition to ten pounds granted for that purpose in one thousand eight hundred and thirty nine.

Ten pounds for the road from William Baxter's to Sidney Baxter's.

Ten pounds for the road from Sidney Baxter's to Moses Innes'.

Fifteen pounds for the road from the head of Pattycake, by way of Stewart's Mill, to Moses Hodge's.

Ten pounds for the road from David Floyd's Mill to the Salt Spring Settlement by way of Widow Connors'.

Ten pounds for the road from the Campbell Road to Philip Dean's.

Ten pounds for the road from Henry Parlee's to Peter Parlee's.

Ten pounds for the road from the late James Smith's Mill to the Golden Grove near Hasting's.

Ten pounds for the road from the Golden Grove School House to the Saint John County Line.

Ten pounds for the road from the late James Smith's to the head of the second Lake Lomond.

Ten pounds for the road leading from Morrell's Farm, across Darling's Island to the Farm of Mr. Matthew.

Ten

King's County
Bye Roads,
Continued.

Ten pounds for the road from the Settlement of Robert Brown and others to the new road leading to the Toll Bridge.

Ten pounds for the road from Elias Prince's to Isaac Monger's.

Ten pounds for the road from near Eli Yeaman's to John Smith's.

Fifty pounds in aid of individual subscription to build a Bridge over Sherwood's Cove, in Hampton.

Fifteen pounds for building a Bridge over a Brook on the road between Longstroth's and the Golden Grove Settlement.

Ten pounds for an alteration in improving the road from near Monmouth Fowler's to Groom's Bridge, so called.

Ten pounds for the road from M'Cready's Mill to Palmer's road.

Ten pounds for rebuilding a Bridge over Hammond River, near William Ganter's.

Ten pounds for the road leading from James M. Fowler's to the new line of road leading from Barns' to the Church in Upham.

Ten pounds for the road from the Shepody Road to the Quaco Road by William Scott's.

Fifteen pounds for the road from near the Church in Upham to the Salt Spring Road near James Robertson's.

Ten pounds for the road from near Charles Robertson's to James Campbell's.

Ten pounds for the road from James Campbell's to Patrick Smith's.

Ten pounds for the road from the South Stream Bridge to the County Line, by John M'Affee's.

Sixty pounds to assist in rebuilding the Bridge over the Hammond River, near Jonathan Titus' Farm.

Ten pounds for the road from near James Dunfield's to the Great road near Thomas Dunfield's Mill on the North side of Salmon river.

Ten pounds for the road from Antone Clane's to Timothy Purtel's Farm.

Ten pounds for the road from Samuel Godard's to William Gray's.

Ten pounds for the road and Bridges from William Gray's to the Main road, above John Hallett's.

Ten pounds for the road from M'Ewin's to the Main Road.

Ten pounds for the road from Simon Parlee's to William Linden's, by way of Pollock's.

Fifteen pounds for the road and Bridges from John Parlee's to Patrick Welch's.

Ten pounds for the road from near Hayward's Mills through the Settlement of John Abraham and others.

Ten pounds for the road from M'Larren's Brook to the cross road, by Casedy's.

Ten pounds for the road from Peter Fryer's to Thomas Herrit's.

Ten pounds for the road lying on the Line between Thomas Herrit's and Abraham Fairweather's.

Ten pounds for the road from the Campbell Settlement to the Salt Spring Settlement.

Ten pounds for the road from Daniel Campbell's to Sidney Baxter's.

Twenty pounds for the road from Ellison's to the Norton Line, near Drummond's.

Ten pounds for the road from near William Kyles' through the Wesleyan Settlement near Negro Brook.

Ten pounds for the road from near Patrick Welch's to Frederick Mire's.

Ten pounds for the road from near Silas Deforest's to near William M'Leod's.

Ten pounds for the road from near Drummond's to Carson's, by way of Patton's.

Fifteen

Fifteen pounds for the road from Patrick Welch's to the Shepody road near M'Lauchlin's. King's County
Bye Roads,
Continued.

Fifteen pounds for the road from Enoch Beckwith's to Charles Gayley's.

Fifteen pounds for the road from Beach's to Alward's.

Ten pounds for the road from Lockhart's to Wesley Perry's.

Ten pounds for the road from Stephen Mullin's to Josiah Keith's.

Ten pounds for the road from Perry's to Queen's County Line.

Fifteen pounds for the road running through the White Mountain Settlement to the main Smith Creek road.

Ten pounds for the road from Henry R. Coate's to William Beach's.

Ten pounds for the road from William Beach's to William Maning's.

Fifteen pounds for the road from Charles Galey's to James Marr's.

Twenty pounds for the road and improving the Hill between David Kiersted's and William Frazee's.

Ten pounds for the road from near Paul Kingston's to the English Settlement road near Richard Smith's.

Ten pounds for the road from Nathaniel Johnson's to the Riley road.

Ten pounds for the Bridge near John Ryan's.

Ten pounds for the Bridge over Sharpe's Brook leading to James Byrne's.

Ten pounds for the road and Bridges between Henry Parlee's and Matthew M'Leod's.

Ten pounds for the road and Bridge over Smith's Creek, between Henry Leonard's and Richard Roache's.

Ten pounds for the road from David Johnston's to Kirk's.

Fifteen pounds for the road from Ezekiel Foster's to Abel English's.

Ten pounds for the road from Ezekiel Foster's to the Mill Stream.

Ten pounds for the Approach to the Bridge near Haney's, over the Mill Stream.

Ten pounds to open the road from Leeper's to Wright's.

WESTMORLAND BYE ROADS.

Forty pounds for the road from Benjamin Landrie's to William Reed's. Bye Roads in
Westmorland.

Fifteen pounds for the road from the Main road on Sackville Great Marsh to Point Migic.

Ten pounds for the road from Philip Chapman's to Thomas Oulton's, Junior.

Fifteen pounds for the road from Thomas Oulton's, Junior, to the Emigrant Road.

Fifteen pounds for the road from Thomas Oulton's, Junior, to Joseph Murray's.

Ten pounds for the road from George Richardson's to Crossman's.

Ten pounds for the road from Tedish to Great Shemogue.

Fifteen pounds for the road from John Anderson's to James Cadman's, crossing the Little Shemogue.

Twenty pounds for the road from Sackville to Aboushagan.

Ten pounds for the road from the Chapel in Barrichoie to the Sackville road.

Forty pounds for the road from Gaspereaux to Cape Tormentine, through the Emigrant Settlement.

Fifteen pounds for the road from the Great road to Grand Aunce, by the second Westcock Hill.

Twenty pounds for the road from Gaspereaux to the Great Shemogue.

Twenty pounds for the road from Ephraim Raworth's to Cape Spear.

Ten pounds for the road from James Purdy's to Cook's.

Ten

Westmorland Bye
Roads,
Continued.

- Ten pounds for the road from the Aboushagan road to David Cook's.
- Twenty five pounds for the road from Wood Point to Cape Maranguin.
- Ten pounds for the road from William Kinnear's to Fairfield.
- Ten pounds for the road from George Dobson's to the Emigrant road.
- Twenty pounds for the road from Silas C. Charters' to Benjamin Landrie's.
- Ten pounds for the road from John Rayworth's to the Emigrant road.
- Fifty pounds for the road from John Wells's, at Square Lake, to Point Migic.
- Ten pounds for the road from Beech Hill to Lauder's.
- Fifteen pounds for the road from Philip Chapman's to Great Shemogue.
- Ten pounds for the road from the Great Shemogue Road to Square Lake.
- Ten pounds for the road from Edward Chappell's to Gooden's.
- Ten pounds for the road from Courtney Kinnear's, Aboushagan, to Cornea's Meadow.
- Ten pounds for the road from the Great Road in Dorchester to Mitten's.
- Ten pounds for the road from County Line to M'Dougal's.
- Fifteen pounds for the road from Webster's to Stephen Lezere's in Barrichoie Settlement.
- Fifteen pounds for the road from the north side of Shediak River.
- Five pounds for the road from David Armour's to D. Young's.
- Forty pounds to open a road from the Kouchibouguac Lake to the North Lakes in Sackville.
- Ten pounds for the road from Morang Tarrion's to Gallang's, Kouchibouguac.
- Ten pounds for the road from Josiah Hick's to the Forks, so called.
- Ten pounds for the road from Bay Verte to Dobson's.
- Ten pounds for the road from Guiton's up the east side of the Memramcook.
- Ten pounds for the road from Philip Chapman's to the Great Shemogue.
- Ten pounds for the road from John Richardson's to James Kay's.
- Five pounds for the road from Tower's, Goose Lake, to Easterbrook's.
- Ten pounds for the road from the Sackville Church to the British Settlement.
- Ten pounds for the road from James Ayer's to Beech Hill.
- Five pounds for the road in Shemogue to John Downing's.
- Ten pounds for the road from the upper School House in Jollicure to William Read's.
- Fifty pounds to reimburse Courtney Kinnear for building a Bridge over the South West Branch of the Aboushagan.
- Five pounds for the road from Joseph Budrot's to Haven's Mill.
- Fifteen pounds for the road from Great Shemogue Road to the Little Cape.
- Ten pounds for the road from Townsend's to Bay Verte.
- Ten pounds for the road from William Read's to Thomas Ayer's.
- Ten pounds for the road from Tedish to the Kouchibouguac Lake Settlement.
- Ten pounds for the road from the Kouchibouguac road to the South East Branch of the Aboushagan.
- Ten pounds for the road from Mittin's to Crossman's.
- Ten pounds for the road from Bay Verte to Tignish.
- Twenty pounds for the road from Jollicure to Three Mile Camp on the road from Square Lake to Point Migic.
- Ten pounds for the road from the Kouchibouguac road to the South East Branch of Aboushagan.
- Twenty pounds for the road from William Easterbrook's to the new Bridge over the Tantamar River, by the way of the Spectacle Marsh.
- Fifteen pounds for the road from Ezra Peck's through the Haley Settlement.

Ten

Ten pounds for the road from the Great road to Aaron Robinson's and thence to Eben Wilbur's. Westmorland Bye
Roads,
Continued.

Five pounds for the road from Harris', on the Shediac Road, to Brown's Mill.

Five pounds for the road from Fox's Creek to the Gould Settlement.

Five pounds for the road to the Hick's Settlement at Butternut Ridge.

Ten pounds for the road from Abner Taylor's to the Lewis Settlement.

Twenty pounds for the road from Gilbert Forsyth's, in New Horton, to Cape Enrage, and to erect a Bridge over the Vault near Anderson's.

Forty pounds for the road from Germain Town to Point Wolfe Harbour.

Twenty five pounds from New Ireland to Salmon River.

Ten pounds for the road from William Fillimore's to Daniel Copp's on the Ridge.

Ten pounds for the road from John Ritchie's to Stephen Stiles' on Crooked Creek.

Twelve pounds ten shillings for the road through the Memel Road Settlement; of which five pounds to be paid John Rogers.

Twenty five pounds for the road to the Caledonia Settlement from Hopewell.

Eighty pounds for the road from M'Latchey's Bridge to James Gunning's; of which sum twenty two pounds ten shillings to be paid Simon Outhouse; eight pounds to be paid John Lutz; four pounds to be paid Peter Lutz; and two pounds ten shillings to be paid Benjamin Wilbur; being for the ascertained value of Land over which the road crosses.

Fifteen pounds for the road from Chapman's, up Turtle Creek, to Milton's.

Ten pounds for the road from Thomas Colpitt's Mill through to Coverdale River road, and thence to Robert Colpitt's.

Ten pounds for the road up Pollet River to John Geldart's; of which five pounds to be expended between John Scott's and Nathaniel Smith's.

Ten pounds for the road from the M'Laughlan road to Irishtown.

Fifteen pounds for the road from the Pollet River road, near Mrs. Smith's, to the Great road at Powel's.

Twenty five pounds for the road from Henry Steeve's to the Irvine Settlement.

Ten pounds for the road from Alexander Cane's to George Colpitt's Mill.

Five pounds for the road from the Haley Settlement road to Hezekiah Woodworth's.

Five pounds for the road from Dover to William M'Farlane's.

Ten pounds for the road from William Chapman's to Timothy Horseman's.

Twenty pounds for the road from Hamilton's, in Hopewell, to Hayward's.

Twenty pounds for the road from Hayward's to the Great Road in Hillsborough.

Forty pounds for the road from the Bend to the Mountain Settlement.

Ten pounds for the roads connected with the Mountain Settlement.

Ten pounds for the road from Robert Colpitt's, Junior, to the King's County Line, near J. Hoyt's.

Five pounds for the road from James Crandall's to Bell's Farm.

Fifteen pounds for the road from George Colpitt's up Coverdale River.

Fifteen pounds for the road from Robert Scott's to North River.

Ten pounds for the road from the Great road to Henry Steeve's.

Ten pounds for the road from Henry Steeve's to the Round Hill and from thence to Hugh Duffy's.

Ten pounds for the Dorchester Island road.

Forty pounds for the road from Jonathan Cole's to the Joggins; of which sum ten pounds to be paid to John Palmer.

Ten

Westmorland Bye
Roads,
Continued.

- Ten pounds for the road from Grand Aunce to Hard Ledge.
- Five pounds for the road from the Great Road to Peter Jonah's.
- Five pounds for the road from the Main road near Stoney Creek to Thomas Roger's.
- Sixty five pounds for the road from the Bend of Irishtown, and thence to the French Settlement.
- Twenty pounds for the road from the Shediack road through the French Minudie Settlement.
- Seven pounds ten shillings for the road from the Great road to Brown's Mill, by P. Kearnan's.
- Thirty pounds for the road from the Great road to Butternut Ridge.
- Ten pounds for the road and Bridge between the Buderot and Belliveau Villages.
- Ten pounds for the road from near Gabriel Herbert's to Dover.
- Twenty pounds for the road from Dover to Belliveau Village, and thence to the Great road; ten pounds of which sum to be expended in widening the Marsh road near the Chapel.
- Ten pounds for the road over the Cormea Marsh.
- Thirty five pounds for the road from Ralph Carter's to the Petitcodiac River.
- Five pounds for the road from the Chapel road to Lorang Legere's.
- Five pounds for the Marsh road from the Cape road to Coles' Point.
- Ten pounds for the road from John Palmer's to second Westcock Hill.
- Ten pounds for the road from the Great road, Dorchester, through the Chapman Mill Settlement.
- That the sum of ten pounds granted in the year one thousand eight hundred and forty for the road from the School House to Young Sherman's, be re-appropriated and expended upon the road from James M'Fee's to Young Sherman's.

CHARLOTTE COUNTY BYE ROADS.

Bye Roads in
Charlotte County.

- Thirty pounds for the road from Curry's Cove to Head Harbour in Campo Bello.
- Six pounds for the road from the Fenderson Bridge to Daniel Getchell's in Saint James.
- Ten pounds for the road from Dewolf's Dam to Ewart's in Saint James.
- Fifteen pounds for the road from Milltown to Richard Barter's in Saint Stephen.
- Thirty pounds ten shillings for the road from the late James Symond's to the farthest extremity of the Little Ridge in Saint James; one half to be laid out on either side of the Moannes Stream.
- Fifteen pounds for the road from Joel Hill's to Sprague's Falls, and to repair the Bridge over the Moannes Stream.
- Thirty pounds for the new road from the Ledge to Oak Point in Saint Stephen.
- Ten pounds for the road from Burnt Hill to Hill's Meadow in Saint Stephen.
- Ten pounds for the road from Alexander M'Kay's to the M'Kay's Mill in Saint James.
- Thirty pounds for the road from the Cove in Saint Stephen to the Basswood Ridge in Saint James.
- Fifteen pounds for the road from the Kirk to Bleakly's in Saint James; one half to be laid out between the Kirk and Daniel Campbell's, and one half between Daniel Campbell's and the said Bleakly's.
- Ten pounds for the road from Joseph Tourtellett's to the new road leading from the Cove in Saint Stephen to the Basswood Ridge in Saint James.
- Six pounds for the road from David Hitching's old place to the old Ridge road in Saint Stephen.

Twenty

Twenty pounds for the road from Peak's to the farthest part of the Baillie Settlement in Saint James.

Ten pounds for road from the Baillie Settlement to the Anderson Ridge Settlement in Saint James.

Ten pounds for the road from the Thompson Settlement to the Pinkerton Settlement in Saint James.

Twenty pounds to build a Bridge across the Moannes Stream near the foot of Hill's Meadows in Saint Stephen.

Ten pounds for the road from the Cove to Josiah Libby's, west of the Brasswood Ridge road in Saint Stephen.

Ten pounds for the road from the Long Bridge to James Maxwell's, Junior, in Saint Stephen.

Ten pounds for the road from Maxwell's, Junior, to the Canous Stream in Saint James.

Fifteen pounds for the road from John Pomeroy's to the Kirk in Saint James.

Fifteen pounds for the road from John Pomeroy's to the Little Ridge in Saint James.

Five pounds for the road from Hitching's Mill to the Little Ridge in Saint James.

Thirty pounds for the road from Potter's Hill through the Burnt Land to the upper Bridge in Saint James.

Twenty pounds for the road from Spence's to Clark's Point in Saint James.

Fifteen pounds for the road from the Kirk, over the Basswood Ridge, to Oak Hill in Saint James.

Fifteen pounds for the road from the Episcopal Church in Saint James to the Basswood Ridge, and to build a Bridge on said road.

Fifteen pounds for the road from the Lynnfield Road to Mrs. M'George's, and thence to the Baillie Settlement in Saint James.

Twenty five pounds for the road from the Head of Oak Bay to Sharman's in Saint David.

Fifteen pounds for the road from Cotterell's to the Eastern Line of the Parish of Saint David.

Eight pounds for the road from Samuel Thomas' to the Church in Saint David.

Twelve pounds for the road from Whitmore's Corner to Valentine Sharman's in Saint David.

Twelve pounds for the road from Anderson's to Michael Young's Corner in Saint David.

Nine pounds for the road from David Hitchings' to the Dana Stream in Saint David.

Nine pounds for the road from John Wilson's to the Main road in Saint David.

Eight pounds for the road from Robert Davidson's to the Main road in Saint David.

Eight pounds for the road from William Malkson's to the Main Road in Saint David.

Twelve pounds ten shillings for the road from Devoy's Corner to Silas Smith's in Saint David.

Eight pounds for the road from Patrick Develin's to the Main road in Saint David.

Twelve pounds for the road from John Nisbett's to Simmond's in Saint James.

Nine pounds for the road from Thomas Mitchell's to the Main road in Saint David.

Charlotte County
Bye Roads,
Continued.

Charlotte County
Bye Roads,
Continued.

Nine pounds for the road from Whitmore's Corner to Thomas M'Laughlin's in Saint David.

Eight pounds for the road from William Gillis' to William Hitchings' in Saint David.

Twenty pounds for the road from the Rolling Dam in Saint Patrick towards Connick's.

Ten pounds for the road from the Rolling Dam to the Kirk in Saint Patrick.

Twenty pounds for the road from Chase's Corner to the Parish Line in Saint Patrick.

Thirty pounds for the road from the Rolling Dam to the Eastern Line of the Parish of Saint Patrick.

Forty pounds for the road from Roix's, by Gilmore's, towards the Western Line of Saint Patrick.

Forty pounds for the road from Lindsay's in Saint Andrews towards Pleasant Ridge in Saint Patrick.

Eight pounds for the road from Clarence Hill Settlement to Whittier's Ridge in Saint Patrick.

Eight pounds for the road from Clarence Hill Settlement towards Patrick Riddington's in Saint Patrick.

Twelve pounds for the road leading from the Grove Settlement Road to Linton's in Saint Patrick.

Twenty pounds for the road from the Kirk to John Armstrong's in Saint Patrick.

Fifteen pounds for the road from the Widow Wilson's to the Rolling Dam on the Western side of the River in Saint Patrick.

Eleven pounds for the road from the Widow Wilson's Farm towards the Salt Water on the Western side of the River in Saint Patrick.

Fifteen pounds for the road from Henderson's Crotch to John Cunning's.

Five pounds for the road from Pleasant Ridge road to Thomas Orr's.

Five pounds for the road from the Pleasant Ridge road to James Stien's.

Five pounds for the road from Pleasant Ridge road to Robert Stewart's.

Five pounds for the road from the Pleasant Ridge road to Agnew's.

Ten pounds for the road from Turner's Mill to the old road leading to Digdeguash, by Quinn's.

Twenty pounds for building a Bridge over Linton's Millstream in Saint George.

Ten pounds for the road from Old Fredericton road to the County Line, near the Flume Ridge, in Saint George.

Ten pounds for the road from Pomroy's to James M'Clymont's Farm in Saint George.

Twenty pounds to alter and improve the road from William Smart's by Bridge's Farm, to the road to the Upper Mills, Saint George.

Nine pounds ten shillings for the road from the Upper Mills to J. Thorn's, on the east side of the River, in Saint George.

Eight pounds for repairing the road from Patrick Waters' to Pomroy's Bridge in Saint George.

Ten pounds for the road from Le Tete Point to Alexander Dick's in Saint George.

Ten pounds for the road from Philo Sealy's Farm to the Lime Kiln in Saint George.

Ten pounds for the road from Archibald M'Vicar's line to Henry Cook's, at the back Bay Settlement, Saint George.

Seven pounds ten shillings for the road from D. M'Lauchlan's, L'Etang River, to N. Spinney's in Saint George.

Charlotte County
Bye Roads,
Continued.

Five pounds for the road from Philo Sealy's to the Kirk at Mascareen in Saint George.

Ten pounds for the road from James Murphy's to the Scotch Settlement in Saint George.

Thirty pounds for the road from M'Carroll and Boyd's towards the Red Rock Mills, commencing at the finished part of the road towards said Mills, in Saint George.

Twenty pounds for building a Bridge on the road to Henry Sealy's Mill in Saint George.

Ten pounds for the road from the Upper Mills to the Red Rock Settlement in Saint George.

Ten pounds for the road from the Saint John road to the Red Store, at Salt Water, in Saint George.

Seven pounds ten shillings for building a Bridge near Johnson Hall's in Saint George.

Twenty five pounds for the road from the Upper Mills to the Old Fredericton road, on the west side of the River in Saint George.

Fifteen pounds for the road from Black's Harbour to John Crickett's in Pennfield.

Ten pounds for the road from School House, No. 4, towards Woodland's in Pennfield.

Twelve pounds ten shillings for the road from Rait's Millstream to Jacob Brittany's in Pennfield.

Thirty pounds for the road from Knight's Mill towards Samuel Getty's Farm in Pennfield.

Ten pounds for cutting down the Hill at Prescott's in Pennfield.

Twenty pounds for the road from the County Line on Dipper Harbour Road to Cassady's, at Lepreau Basin, in Pennfield.

Ten pounds for cutting down the Hill at the Widow Gillespie's House in Pennfield.

Ten pounds for the road from the head of Black's Harbour to John Critchard's lane in Pennfield.

Ten pounds for the road from Alexander Arnold's to the road from Black's Harbour to Pennfield Church.

Twelve pounds ten shillings for the road from the Widow M'Callum's, on the Saint John Road, to the Public Landing at Dowd's Cove.

Ten pounds for the road from Peter Cassady's Line to the intersection of the road leading to Pennfield Church.

Ten pounds for the road commencing at John Spear's, at Cold Brook, to the road leading from Beaver Harbour to the Saint John Road.

Seven pounds ten shillings for the road from John Crickett's to Justison's field.

Seven pounds ten shillings for the road from William Jackson's towards Mrs. Boyd's Corner.

Fifty pounds for the Frye road, to avoid a Hill, and other improvements in Saint Andrew's Parish.

Ten pounds for the road from Morrison's Farm to M'Intosh's Cove in Saint Andrew's Parish.

Seven pounds ten shillings for the road from Welsh's Brook to the Shore in Saint Andrew's Parish.

Charlotte County
Bye Roads,
Continued.

Fifteen pounds for the road from the Main road through the Greenlaw Settlement in Saint Andrew's Parish.

Fifteen pounds for the road from the Commons road to the Saint John road, by Maxwell's, in the Parish of Saint Andrew's.

Thirteen pounds to open Water Courses on the road from the Widow Connick's to William Eill's Farm in the Parish of Saint Andrew's.

Eighty pounds for the Great road through the Island, from Welshpool to Curry's Cove, in Campo Bello.

Forty pounds for the Hill road from the corner at Grand Harbour to Craig's Farm in Grand Manan.

Fifty pounds for building a Bridge over the Gully near Green Brook, and to continue the road to the Dock at Drake's Landing.

Twenty pounds for the road from Long Island Bay at Whale Cove in Grand Manan.

Twelve pounds for the road southwardly from Seal Cove.

Thirty pounds to repair the roads from Northwest Harbour to Hibernia Cove, in Deer Island.

Twenty two pounds to repair damages done to the road by high tides at and about Fountain Cove in Deer Island.

Twenty two pounds for the road from Northwest Harbour to Stuart's Creek, and to build a Bridge on the same; the two latter sums to be taken from the monies granted last year, and not expended by the Commissioner in Deer Island.

SAINT JOHN COUNTY BYE ROADS.

Bye Roads in St.
John County.

Twenty five pounds for the road from Blakslee's Farm to Little River; of which six pounds nine shillings and three pence to be paid R. Calvert balance due him.

Seventy five pounds for the road from Frog Pond to Loch Lomond.

Ten pounds for the road from Black Settlement road to Garnet's.

Thirty pounds for the road from Garnet's to Emerson's Creek, Mountain road.

Twenty pounds for the road from Little River to Misperck.

Twenty five pounds for the road from Little River to Loch Lomond.

Sixty pounds for the road from Little River to Black River.

Ten pounds for the road from Golden Grove to M'Grigor's Mill, Loch Lomond.

Twenty pounds for the road from Bridge at Cody's to the head of first Lake.

Eighty pounds for the road from head of first Lake to Quaco.

Ten pounds for the road from Misperck Mills to Cape Spencer.

Twenty pounds for the new road opened by Brown and others, past Brown's Mill, to Tynemouth.

Fifteen pounds for the road from Black River to Emerson's Creek, including the finishing of the Causeway on the South side of the same, and from thence to Gardner's Creek.

Eight pounds for the road from Cother's road, so called, to the County Line, towards late Smith's Mill.

Forty pounds for the road from the Black Settlement road to Wilmot's Farm, back road.

Twenty five pounds for the road from Quaco road through the Ryan Settlement, New Shepody Road.

Twenty pounds for the road from Quaco to County Line, near Tabor's, old Quaco Road, to be expended from Quaco onwards.

Thirty five pounds for the road from Dipper Harbour School House to the Saint Andrews road.

Ten

St. John County
Bye Roads,
Continued.

Ten pounds for the road from John Davidson's to the old Quaco road.

Ten pounds for the road from Millican's, past Cain's, to be expended from County Line onwards.

Ten pounds for the road from Quaco road to Tynemouth, by John Brown's.

Ten pounds for the road from Black Beach to Pisirinco.

Ten pounds for the road from Sand Cove to Main road.

Twenty pounds for the road from Quaco to Barnes' Mill and Church road.

Fifty pounds for the road from Cody's to the School House in the Hibernia Settlement.

Twenty five pounds for the road from the above School House to the Forks of the road opened by Brown and others.

Thirty pounds for a Bridge across the Creek at Craft's Mill on the road to Saint Andrews.

Thirty one pounds ten shillings to complete the Bridge over Gardner's Creek.

Ten pounds for the road from Mahor's west Line to Harding's Mill.

Twenty pounds for the road from the Narrows of Musquash to the Saint Andrews road.

Twelve pounds for the road from Black Beach, by way of Irish Settlement.

Fifteen pounds for the road from Hatfield's Mills to John M'Namara's.

Eight pounds for the road from the Settlement near Menzie's Mill to the Saint Andrews road.

Fifteen pounds for the road from Quaco road to the County Line near Reed's Farm.

Fifteen pounds for the road from the Bridge at Tynemouth, leading across the Marsh, and thence to Quaco, by the Shore road.

Twenty five pounds for the road from the Forks of M'Brittainny's road to Tynemouth, by way of Fraser's Mill; of which fifteen pounds to be paid John R. Partelow, advances made towards said road.

Twenty five pounds for the road from Tynemouth road, past Power's Farm, to Quaco, near Quaco road.

Ten pounds to complete the Bridge over the Stream on the road leading to Ellison's past Smith's, in the vicinity of Black River.

Twenty five pounds for the road explored from Stanley's to West Beach.

Fifteen pounds for the road from Hibernia Settlement to the Quaco road.

Fifteen pounds for the road from Boar's Head to the Kennebecasis road, leading from Mackay's Mill.

Thirty pounds for the road from the Highways at Delany's to the Kennebecasis.

Fifty pounds for the road from Indian Town road to the Kennebecasis opposite to the Brothers', and for blasting rocks on the same.

Thirty five pounds to finish the road from M'Kay's Mill towards the Kennebecasis.

Twenty pounds for the road leading to Sand Point.

Ten pounds for the road from Spruce Lake to the Landing Place at Pisirinco.

Twenty five pounds for Bridge over Dipper Harbour Creek.

Ten pounds for the road from Hepburn's Farm to the Saint Andrews road.

Twenty five pounds for the road from the old Westmorland road through the Golden Grove Settlement.

Fifteen pounds from Negro Town Point to the City Line, west side.

Fifteen pounds ten shillings from the Saint Andrews road to Mace's Bay, near Hanson's Mill.

QUEEN'S COUNTY BYE ROADS.

Bye Roads in
Queen's County.

Ten pounds for the road leading from G. Earl's to Washademoac Lake.

Five pounds for the road from William Green's corner to John Shaw's Mill.

Ten pounds for the road leading from the cross road in the Shanahan Settlement to David M'Donald's on Washademoac Lake.

Six pounds for the road from John Robertson's to the junction of the road leading to Chisholm's Meadows.

Five pounds for the road from the Big Brook to Shaw's Mill.

Seven pounds to open and improve a road from James Vanwart's in a back Settlement to the Main road.

Ten pounds for the road from London's to the road that leads to the Shore at Robert Golding's; the same to communicate with the road laid out by the Commissioners of King's County to the County Line.

Twenty pounds for the road leading from the line between Robert Golding's and Thomas Worden's to the lower part of the County.

Seven pounds ten shillings for the road from Samuel Foster's Grist Mill to the North Branch of Peters' Cove.

Ten pounds for the cross road or Murdock's road, so called, from Hull's corner to Samuel London's.

Ten pounds for the road from Hull's corner to Vanwart's Mill.

Ten pounds for the road between John Wilson's and John Huggard's.

Ten pounds for the road from John Huggard's to the old Post road near John Farmer's.

Seven pounds ten shillings for the road from the Public Landing, Lewis' Cove, to the cross road leading to the Scotch Church and Shannon Settlement.

Seven pounds ten shillings for the improvement of the Lewis Road, so called, to the Washademoac near Nehemiah Belyea's.

Five pounds for the road between Michael Kelly's and the Shannon Settlement.

Ten pounds for the road between Robert M'Coy's and James Wilson's.

Five pounds for the road between the Public Landing, Lewis Cove, and John Shaw's Mill.

Five pounds for the road between the North East Branch leading to the Post road, by way of Samuel Foster's.

Five pounds for the road from the old Post road to Wetmore's Saw Mill.

Five pounds for the road from Wetmore's Saw Mill to the new Post road.

Seven pounds ten shillings to continue the road leading from Cumberland Bay Bridge to George Burk's on the same line to the Shore.

Forty pounds to open and improve a new line of road explored by William Foshay in one thousand eight hundred and forty, from Cumberland Bay Bridge to Coal Creek.

Fifteen pounds for the road from Samuel Cole's to D. M'Donald's Mill.

Ten pounds for a Bridge on the road leading from the Forks of the Canaan River to M'Donald's Mill up the Stream.

Ten pounds for the road from William Brown's Saw Mill to Dennison's on Coal Creek.

Ten pounds for the road leading from James Hendry's to Joseph Hendry's.

Ten pounds for the road from Cumberland Bay Bridge to Cox's Point.

Ten pounds for the road from Elkin's to Joseph Barton's.

Ten pounds for the road from R. Barton's to Conrad Miller's.

Five pounds to remove a Hill at No. 20 Brook.

Five pounds to finish the Bridge over a Brook below M'Namara's.

Queen's County
Bye Roads,
Continued.

Five pounds to cut down a Hill at Coakly's Brook.

Five pounds for the road from lower Mills to upper Mills on the south east side of Newcastle.

Ten pounds for the road from L. M'Lean's to the Young Cove road at Leipsitt's.

Ten pounds to improve the road from O'Leary's to Crawford's Cove on the western side of Salmon River.

Ten pounds for the road from John M'Vicar's to William Buzza's.

Fifteen pounds for the road from John Lacky's to Salmon River or Main road.

Ten pounds for the road on the north side of Coal Creek leading from the Salmon River road to Brown's Mill.

Twenty five pounds for the road from Salmon River to Hardwood Ridge.

Twenty five pounds for the road from the Hardwood Ridge to M'Grigor's Mills on the Salmon Creek.

Forty pounds for the Main road from Maquapit Lake to Newcastle, and from thence to the Hardwood Ridge.

Ten pounds for the road from Long Creek, commencing at James Vincent's to Cody's.

Ten pounds for the road from Long Creek to the M'Farlane Settlement.

Fifteen pounds for the road from Hetherington's on the Washademoac to Young's Cove.

Ten pounds for the road from King's County Line to Alexander Stewart's.

Seven pounds ten shillings for the road from Thomas Dyer's to William Somerville's.

Six pounds for the road from Richard Griffis' to Emerson's.

Seven pounds ten shillings for the road from Samuel Foster's Grist Mill to the new Post road on the road leading to the Waterloo Settlement.

Ten pounds for the road from Washademoac Lake, on the Line between James Mullin's and John T. White's, to the Foster Settlement, and to build a Bridge on said road.

Ten pounds for the road on the north west side of the Washademoac River from David Phillip's Line to Oliver Starkey's, and for a Bridge over Starkey's Brook.

Five pounds to alter the road through the Long Creek Settlement between Doctor Beaven's and Charles Vincent's.

Ten pounds for the road from Thomas Hamm's to John Cochran's.

Five pounds for the road from Murray's Saw Mill through the M'Farlane Settlement.

Five pounds for the road from English Settlement road to David Noden's, Long Creek.

Five pounds for the road from Thomas Murray's Grist Mill, in the English Settlement, to James Lynch's, East Waterloo.

Ten pounds for the road leading from the Waterloo Settlement to the road leading from Salmon Creek to the East Scotch Settlement.

Ten pounds for the road leading from Hugh Parker's to William Woodstock's, Waterloo Settlement.

Ten pounds for the road from Woodstock's, Waterloo Settlement, to the road leading from Stewart's to Shearer's.

Five pounds to complete the Swamp upon the road from Ebenezer Perry's, Washademoac, to Salmon River Creek Settlement.

Five pounds for the road from Salmon Creek Bridge to George Kincade's upper Line.

Ten

Queen's County
Bye Roads,
Continued.

Ten pounds for the road from James Thompson's to Hill's, English Settlement.
Ten pounds for the road from Long Creek to William Maskel's.
Ten pounds for the road from Obadiah Starkey's to James Vincent's, and from S. Cole's to New Canaan.

Ten pounds for the road from James Broad's to Samuel Cole's.

Ten pounds for the road from James Starkey's to John Secord's.

Twenty pounds for the road from James Green's to the lower Nerepis Brook.

Ten pounds for the road from David Mason's to Nerepis Brook.

Ten pounds for the road leading from the old Post road to the Waterloo Settlement on the south side of A. Cochran's Grant.

Fifteen pounds for the road from Isaac Worden's in the back Settlement leading to William Somerville's.

Five pounds for the road from William Somerville's to Edward Maxwell's.

Five pounds for completing the Bridge across Salmon Creek, in the Parish of Johnston.

Five pounds for the Road from East Waterloo Settlement to Salmon Creek.

Five pounds for the road from West Waterloo to Salmon Creek.

Five pounds for the road leading from the Post road to the Washademoac Lake on the old road.

Ten pounds for the New road on the eastern side of the Nerepis Stream through the Robb Settlement, and from thence to the Bridge on the Gagetown road.

Ten pounds for the road from William Jones' upper line to the Gagetown road on the western side of the Nerepis River.

Twelve pounds ten shillings for the road from David Spete's through the Hopewell Settlement to Harry Lyon's Bridge.

Twelve pounds ten shillings for the road leading from the above road to the New Jerusalem Settlement.

Ten pounds for the road leading from the Nerepis Church to Morrell's road in the Jerusalem Settlement.

Seven pounds ten shillings for the road from Fredericton road by way of Gabriel Fowler's to Redstone's Mill on Allingham's Stream.

Fifteen pounds for the road from the Nerepis Church to Darby Gillan's.

Seven pounds ten shillings for the road from the Butler Settlement to the Nerepis road.

Ten pounds for the road from Gagetown towards the Nerepis, from Simpson's to the road leading to the Nerepis.

Ten pounds for the road from Lounsbury's to Sucker Brook.

Fifteen pounds for the new road from Reuben Fox's Farm to the Nerepis road.

Ten pounds for the road from Vail's Ferry to the Nerepis road.

Thirty six pounds ten shillings to Gilbert Williams to remunerate him for that sum over expended by him on grant of last Session.

Ten pounds for the road from Park's corner to Thomas Chadwick's.

Fifteen pounds for the Yorkshire road, so called, from Inches' corner to the County Line.

Fifteen pounds for the road from George Lyon's road to the New Jerusalem Settlement.

Fifteen pounds for the road from Harrison's, in Jerusalem Settlement, to King's County Line, near Moore's.

Seven pounds ten shillings for the George Lyon road.

Fifteen pounds for the road from Jerusalem Settlement to the Gagetown road.

Fifteen

Fifteen pounds for building a Stone Bridge across Merritt's Brook.

Queen's County
Bye Roads,
Continued.

Ten pounds for the road from Ocnabog Bridge to Great Valley Hill, near Peters'.

Fifteen pounds for the road from Burgess' corner, Jerusalem Settlement, to Andrew Hughston's.

Five pounds for the road from M'Conkey's to Gagetown road.

Ten pounds for the road from Scovil Roberts' road, extending through New Ireland, to Jerusalem Settlement.

Ten pounds for the road from Burgess' corner to Sanburn's Mill.

Fifteen pounds for the road from Morrell's corner to Henry Lyon's Bridge.

Five pounds for the road from Sanburn's Mill to Robert Davis'.

Thirty five pounds for the Bridge over Cumberland Bay Stream at the site selected by William Foshay and Colling, and to improve the road between the Bridge and Caleb Barton's corner.

Fifteen pounds for the road from Wiggins' Mill to Wasson's Mill, on the main road laid out by John Earl.

Fifteen pounds for the road between John Roberts' and William Wiggins', as laid out by Thomas Cox and Thomas Wasson.

Seven pounds ten shillings for the Bridge over O'Neal Brook.

Ten pounds for repairing the road from Elliott's lower line to Thomas Gilbert's upper line, in the Parish of Waterborough, Young's Cove.

Five pounds for the road leading from the Grand Lake to intersect the Post road leading from the Jemseg to the Washademoac, past Robert Orchard's.

Ten pounds for Causeways and Turnpiking through a Swamp on the road on the south side of the Grand Lake, between Richard Carman's and Michael M'Dermott's, near Reverend A. Wood's.

Ten pounds for the road leading from the Grand Lake to the Washademoac Lake, between Hiram Brigg's Farm and Grand Lake.

Ten pounds to improve the road from the Grand Lake shore to the road leading from Cox's Mill to Gilbert Dykeman's Bridge.

Ten pounds to build a Bridge and remove the Hill at Sand's Creek on the main road east side of Grand Lake.

Ten pounds to improve the road leading from Cox's Mill through the back Settlements, intersecting the Great road leading from Washademoac Lake to Jemseg.

Ten pounds for a Causeway by Charles Harrison's in Waterborough.

Fifty pounds for the road from Dykeman's Brook to Cox's Mill.

Fifteen pounds for a Bridge on the road leading from John M'Lean's to Cumberland Bay, on Lot No. 1.

Twelve pounds ten shillings to John M'Lean to reimburse him for that sum over expended on road from Wasson's to Brown's Mill.

Ten pounds for the road from shore of Grand Lake, between Hugh Cameron's and John M'Lean's, to the Great road from Washademoac to Jemseg.

Five pounds for the same road as the above, across the Marsh.

Seven pounds for the road between the first and second tier of Lots, from the corner of Lot No. 6 to Great road near the Den.

Ten pounds for building a Bridge in Young's Cove, on Lot No. 7, owned by John Gale.

Fifteen pounds for Chains and Anchors to secure the Winter Bridge over the Thoroughfare at Indian Point.

Ten pounds for improving the road leading from Gershom Clark's to the cross road at David Brill's.

Ten

Queen's County
Bye Roads,
Continued.

Ten pounds to open a road from Baillie's Point, to intersect the Great road leading from Fredericton to Petitcodiac, near the Newcastle Mills.

Five pounds for the road leading from William Kady's to No. 10, by way of Levi Betts', Hardwood Ridge.

Five pounds for the road leading from Cypher's Pond to Little River.

Five pounds for the cross road leading from between David and John Cypher's to the Great road of communication.

NORTHUMBERLAND COUNTY BYE ROADS.

Bye Roads in
Northumberland.

Ten pounds to continue rear road in the Parish of Chatham with the road leading to the back Lots in the rear of John Henderson's Farm.

Twenty pounds towards improving the road to the rear Lots next below the Parsonage, and to extend from thence back to Napan in the Parish of Chatham.

Fifteen pounds to widen and improve the road leading from John M'Laughlan's, Chatham, to the School House on the rear Lots.

Ten pounds to open and improve the road near Carrol and Fitzpatrick's, on the third tier of Lots, Chatham, up towards Nelson.

Twenty five pounds five shillings and seven pence to George Fowlie, to enable him to pay the following persons, namely:—Malcolm M'Naughton, balance due on contract for a Bridge erected by him across Black River, at Wier's Landing, six pounds eleven shillings and six pence; Joseph Hunter, for the erection of a Bridge across Miller's Brook, near little Branch Bridge, seventeen pounds ten shillings; and the remaining one pound four shillings and one penny being for five per centum commission thereon.

Twenty pounds towards the erection of a Bridge across James Cameron's Brook, on the north side of Black River.

Ten pounds towards improving the road from Black River Bridge to the Little Branch Bridge.

Fifteen pounds towards improving the road from the Little Branch Bridge to Horton's Creek.

Ten pounds towards improving the road from the Little Branch School House towards the upper Settlement.

Ten pounds towards improving the road from Horton's Creek to John M'Donald's Farm.

Twenty pounds for the road from John M'Donald's Farm towards Kingston's Farm on the Bay du Vin River.

Ten pounds for exploring and opening a road from Kingston's Farm to the Bay du Vin River Mills.

Ten pounds to explore a new line of road from the Bay du Vin Mills to the Richibucto road.

Ten pounds towards improving the road from the Richibucto road to Black River Bridge.

Twenty pounds to explore and run out the line of road between Lot E. granted to Placide Cassey, in the block grant of Escuminac, and the County Boundary Line.

Ten pounds to improve the roads surveyed from the Hardwood Lots, near Escuminac, to the shore on the front of Lot number nine, owned by Henry Sergeant.

Forty pounds towards the road from George Williston's Farm to Eel River.

Twenty pounds towards improving the road between Eel River and Escuminac.

Ten pounds to improve the road on the north side of Black River, in the Parish of Glenelg, from Alexander Campbell's Farm to the residence of Farquhar M'Graw.

Twenty

Twenty pounds to explore and open the road from Williston's Mill, Black Brook, to the River Napan, near M'Knight's Grist Mill.

Northumberland
Bye Roads,
Continued.

Twenty five pounds to improve the road from the Bridge at Black River, about five miles below the Richibucto road to Napan, to the place nearest the mouth of that River, that it can be with propriety bridged.

Twenty five pounds to improve the road between Taylor's Creek and Point Aux Car.

Nine pounds fourteen shillings and five pence to improve the road from M'Knight's Mill, Napan, to M'Innes' Creek.

Fifty pounds towards the erection of a Bridge across Barnaby's River, at such place as may by the Commissioners or Commissioner that may be appointed to expend that sum be deemed the most eligible site.

Twenty pounds towards improving the road from Cassey's to Rush's Farm, and from thence to the Chaplain Island road, and on to where it strikes the road up the North West.

Fifteen pounds to continue the road from the Steep Hill on Duncan Stewart's Lot, in front of Porter and Stewart's Lots.

Five pounds to open a road to the Sullivan Settlement on the second tier of Lots in rear of Douglastown.

Ten pounds towards completing the Bridge across Green Brook, near M'Mahon's Farm, and improving the road leading thereto.

Twenty pounds to continue the road in rear of Moorfield's, along the front of the second tier of Lots to the Bathurst road.

Ten pounds to improve the road from the Bathurst road to M'Carthy's Farm, on the east side of the Bartibog, in the Parish of Alnwick.

Ten pounds to improve the road from White's Creek, below Oak Point, back to the road from Bartibog to Tabisintac.

Fifteen pounds to improve the road from Lower Neguac to Stymest's Mill in the Parish of Alnwick.

Ten pounds towards opening a road from Patrick Hall's place in a westerly direction to Bartibog River.

Two hundred and thirty pounds towards improving the road from Bartibog to Tabisintac; of which sum one hundred and one pounds eleven shillings and five pence to reimburse Mr. Goodfellow the amount over expended by him.

Thirty pounds towards opening and making the new line of road from the Bartibog Bridge, on the east side, to the Bathurst road near Russell's Mill.

One hundred pounds to improve the road from Newcastle to Chaplain's Island.

Twenty five pounds towards opening a road between the upper side of the Indian Reserve on the North West Branch, and the Chaplain Island road.

Ten pounds towards opening and making a road from the mouth of Trout Brook to John Shaddick's Farm.

One hundred pounds towards exploring and opening a new line of road from Watt's Farm, Northesk, to Newcastle; eight pounds seventeen shillings of which sum to be paid to Alexander Goodfellow.

Forty five pounds to improve the road from Cuppage and White's to James Holme's Farm on the Little South West.

Thirty five pounds to improve the road from Cuppage and White's to Beau-bair's Point.

Twenty pounds to improve the road from the North West to the South West Branch of Miramichi, through the Williamston Settlement.

Ten pounds to improve the road from the Meeting House below David Tozer's to the M'Lean Settlement.

Ten

Northumberland
Bye Roads,
Continued.

Ten pounds to improve the road from Jared Tozer's upper line, from the North West, to the lower Williamston Settlement.

Fifty pounds to improve the road from Flitt's Cove, through the Newland Settlement, to Barnaby's River; of which thirty two pounds ten shillings to reimburse Richard Sutton for money over expended by him last year.

Fifteen pounds to improve the road from Flitt's Cove to Barnaby's Island.

Ten pounds to open a road from James Newland's to the third tier of Lots.

Ten pounds to improve the road from Sutton's Barn to Oats' Settlement.

Fifty pounds to improve the road on the south side of the South West, and the Bridge near Doyle's and Tobin's Farm, thence towards Indian Town.

Twenty five pounds to improve the road on the east side of Barnaby's River to Hutchinson's Farm.

Ten pounds to improve the road on the east side of Barnaby's River to Morrison's Farm.

Fifteen pounds to improve the road from Saunder's Grist Mill to the Settlement on the right hand Branch of Barnaby's River.

Twenty pounds to improve the road on the south side of Barnaby's River to the Semiwagan Ridge.

Twenty pounds towards improving the road from William Hogan's Farm to M'Allister's, in the Parish of Blissfield.

Fifteen pounds towards improving the road from Cain's River, on the South West Branch of Miramichi, up till it strikes the road to the Settlement on Cain's River, coming out at John Donald's.

Thirty pounds towards improving the new line of road on Cain's River.

Twenty pounds to improve the road on the north side of Renous River, between Indian Town and Lee's Farm.

Twenty pounds to improve the road from Lee's Farm, on the north side of Renous River, to James Donaldson's Farm.

Twenty five pounds to improve the road from Doak and M'Laggan's Mills to the upper Settlement on Bartholomew's Mills.

Twenty five pounds to improve the road from Doak and M'Laggan's Mills to the mouth of the Dungarvon, on Renous River.

Ten pounds to improve the road from Bartholomew's Mills to the Forks.

Ten pounds to explore and lay out a better line of road from the Horse Shoe on Cain's River to the main South West.

Ten pounds to explore and open a road on the south side of the Dungarvon from John Basset's clearance to the South West road.

Ten pounds towards improving the old Highway in the Parish of Ludlow.

KENT COUNTY BYE ROADS.

Kent County
Bye Roads.

Forty pounds for the road from Point Sapine to the Kouchibouguac.

Fifteen pounds for the road from Point Edward to the Shipyard.

Ten pounds for the road on the north side of the Kouchibouguac River, above the Post road.

Ten pounds for the road on the south side of the Kouchibouguac River, above the Post road.

Thirty pounds for the road on the south side of the Kouchibouguac River, below the Post road.

Ten pounds for the road from Kouchibouguac to the Little River.

Ten pounds for the road from Taddy Babino's lower line to the Post road.

Twenty five pounds for the road on the north side of the Kouchibouguac River, above the Post road.

Fifteen

Fifteen pounds for the road on the south side of the Kouchibouguacis River, from the foot of the Rapids upwards. *Kent Bye Roads,
Continued.*

Twenty pounds for the road on the north side of the Aldoune River.

Twenty pounds for the road on the south side of the Aldoune River, from Antoine Daigle's upper line, up stream.

Twenty pounds for the road on the north side of the Richibucto River, from John James' line upwards, and Hill at Mill Creek.

Forty five pounds for the road from Mill Creek to Molus River, to be expended upon that line which shall be adopted by the Commissioners.

Eighteen pounds for the road from Mill Creek to the Indian Line; two thirds of which sum to be expended above Carruthers'.

Fifty pounds for the road from the Shipyard to the East Branch Bridge, and for the repairs of the Bridge over Child's Creek.

Twenty pounds for the road from the Reserve to the Post road, and to build a Bridge over Bell's Creek.

Forty pounds to Fidelle Casey to pay the balance due on the contract for the Bridge over Big Simon's Creek.

Ten pounds for a road from the mouth of the Gaspereaux Creek, on the south side, to Atkinson's Mill.

Twenty pounds for the road from Little Chockpish to the Great Chockpish River.

Ten pounds for the road from the Lower Village to the new Settlement in rear of the old French grant.

Five pounds for the road leading to Galloway from the cross road.

Twenty pounds for the road from James Pine's to the Coal Branch.

Ten pounds for the road from Jonathan Cail's up the Coal Branch.

Fifteen pounds to build a Breakwater to the Bridge on Coal Branch.

Ten pounds for the road from M'Grigor's line to the Church.

Fifteen pounds for the road and Bridges from the Church down the River Richibucto.

Forty pounds for the road from the Coal Branch to the West Branch Bridge.

Fifty pounds for the road from the West Branch to the East Branch; of which two pounds nine shillings and eight pence to be paid to William Doherty, being the balance due him for work done on South Branch Bridge; and the sum of sixteen pounds fifteen shillings and eleven pence to be paid to Philip Markee for work done upon his contracts in one thousand eight hundred and thirty nine and one thousand eight hundred and forty.

Fifteen pounds for the road from the West Branch to the Town Plot; two thirds of this sum to be laid out from the Chapel to David Mundell's lower line; four pounds of which sum to be paid William Cummings for work done in one thousand eight hundred and thirty nine.

Ten pounds for the road on the east side of the South Branch of Saint Nicholas River.

Five pounds for the road from the road leading up the River to the Settlement at the Spring Brook.

Ten pounds for the road from Indian House Creek to Pott's upper line.

Fifteen pounds for the new line of road from Thomas Graham's to James Hayward's, on Saint Nicholas River.

Twenty pounds for the road from Chockpish to Buctouche, by Oliver Myer's.

Ten pounds for the Bridge over Black River, at the Chapel.

Thirty pounds for the road on the north side of Buctouche River to the Shipyard.

Twenty

Kent Bye Roads,
Continued.

Twenty pounds for the road from the Shipyard to Coates' Mill.

Forty pounds for the road from Coates' Mill down to Sonia's, opposite to the Shipyard.

Twelve pounds for the road from the Glenelg Settlement to the fourth tier of Lots leading up to the Mill on Mill Creek.

Ten pounds for the road on the south side of the Chockpish River; two thirds of which to be expended above the Post road.

Ten pounds for the road on the north side of Little Buctouche River from the Mills down.

Fifteen pounds for the road from the Mills to the Thibedo Settlement.

Fifteen pounds for the road on the south side of Little Buctouche River.

Ten pounds for the road on the south side of Little River of Buctouche to the Settlement in the third tier of Lots.

Twenty pounds for the shore road from Buctouche to Cocagne; two thirds to be expended between Dixon's and the Cocagne Bay.

Ten pounds for the road from John Savoy's to the Post road.

Forty pounds for the road on the north side of Cocagne River, and to complete the Bridge over the Creek below the Mills.

Twenty pounds for the road from Cocagne River to the Thibedeaux Settlement.

Ten pounds for the road from Bourke's, at the Surat Settlement, to the Post road.

Fifteen pounds for the road and Bridges leading up the Cocagne River, on the south side.

Fifteen pounds for the road up the Cocagne River to the County Line, near Dominick Geugan's.

Twenty pounds for the road from the Bridge at Robicheaux's round Cocagne Cape.

Ten pounds for the road through the Cape at Robicheaux's.

CARLETON COUNTY BYE ROADS.

Bye Roads in
Carleton.

Seven pounds to improve the road on the lower line of the Woodstock Grant, near Eel River.

Forty five pounds to improve the road near Judge Beardsley's past M'Donald's, to Ivey's, in the back Settlement, the same to be expended from the River out.

Ten pounds for the road near O'Donnell's, running in a southerly direction between the second and third tier of Lots.

Ten pounds to improve the road through the Spear Settlement leading to the Mountain.

Twenty pounds for the road from the lower line of the Glebe Lot in Woodstock to M'Kenzie's Corner.

Seven pounds for the road from John Beardsley's to a back Settlement.

Ten pounds to improve the road past William Bull's from Richmond road to Hodgston road.

Seven pounds for the road from C. Wolhaupter's to Fleming's.

Twenty pounds for the road from Richmond Corner to Hodgston road.

Ten pounds for the road from M'Kenzie's Corner to O'Brien's.

Fifteen pounds for the road from M'Kenzie's Corner to Henderson's.

Twenty pounds to improve the road and build a Bridge from Perley's Mill to Ivey's.

Forty pounds for the road from M'Kenzie's Corner to Woodward's.

Twenty pounds for the road from Woodward's to Blue's.

Twenty pounds for the road from Blue's, past Gidney's, to the further end of the Settlement.

Carleton Bye
Roads,
Continued.

Ten pounds to improve the road from Frazer Duff's to a Grist Mill.

Ten pounds for the road from M'Kenzie's Corner to the Boundary Line.

Twenty five pounds to improve the road from Hodgston road, past Yerxa's and Ford's, to the further end of the Settlement.

Ten pounds for the road from the Hodgston road, past Marsh's, to the Houlton road.

Ten pounds to improve the road from the School House in the Irish Settlement, past Daly's, to the Hodgston road.

Seven pounds for the road from Fleming's to Carson's.

Fifteen pounds for the road from M'Indoe's to Peabody's Mills.

Fifteen pounds to improve the road from Peabody's Mills to the Falls of the Maduxnikick river.

Ten pounds for the road from Falls of the Maduxnikick towards the M'Bride Settlement.

Eight pounds for the road from Jacob M'Lannan's to John Coffee's.

Fifteen pounds for the road from Richmond Corner to Peabody's Mill.

Forty pounds to improve the road from the Houlton road, near Hilman's, to George Gartley's.

Twenty pounds for the road from George Gartley's to Maduxnikick.

Fifty five pounds to improve and open the road past Elisha Baker's, to intersect the road from Sharp's to Wilson's.

Fifty pounds to improve the road and Bridges from Patchell's Ferry to Daniel Shaw's in Northampton.

Fifteen pounds to improve the road from E. Cogswell's to the Newburgh Settlement.

Ten pounds to be laid out in a Cross road in said Settlement.

Fifty pounds to improve the road and build a Bridge near Gogswell's from Daniel Shaw's to George M'Gee's.

Sixty pounds for the road from George M'Gee's to the Begaguimick River; the principal part to be expended on the Deep Creek Hill.

Thirty pounds to rebuild a Bridge across the Begaguimick, (which was carried away by the ice) near M'Burney's.

Ten pounds for the road from James Clark's to the School House.

Twenty five pounds to improve the road from the mouth of the Begaguimick on the north side to the Cold Stream.

Ten pounds to improve the road from the mouth of the Cold Stream to the further end of the Settlement on said Stream.

Ten pounds for the road from the Cold Stream up the Begaguimick.

Ten pounds to improve the road from the Cold Stream to the River Saint John.

Twenty pounds to improve the road from the Begaguimick to Elisha Tompkin's.

Ten pounds to improve the road from James Dyer's to a back Settlement, near Lovely's.

Seven pounds for the road from Monquot to a back Settlement.

Ten pounds for the road from the Little Chicktehauk Bridge to a back Settlement on Miramichi road.

Fifteen pounds for the road from Richard Hopkin's to the Monquot.

Ten pounds to improve the road from Thomas Gee's to a back Settlement in the Parish of Wicklow.

Ten pounds for the road from John Wright's Farm to a back Settlement in Andover.

Seven

Carleton Bye
Roads,
Continued.

Seven pounds for the road from W. Rourke's to J. Taylor's in a back Settlement.

Thirty pounds to improve the road from the Monquot Stream to Richard Wharton's.

Sixty pounds from Richard Wharton's to the Tobique River.

Fifteen pounds for the road from Tobique to the Salmon River.

Eight pounds to improve the road from the Eight Mile Tree on the Arestook Portage to River Saint John.

Ten pounds for the road from B. Tibbett's to a back Settlement.

Ten pounds for the road from T. Pompey's to a back Settlement.

Ten pounds for the road from O'Connor's Creek to a back Settlement.

Eighty five pounds to improve the road from Boyer's Mill, past Tracey's and Burpe's Mill, to Big Presqu' Isle, towards Broadstreet's.

Twenty five pounds to improve the road from Charles Lewis' in a northerly direction, past Stewart's; to be laid out on Swamp.

Twenty pounds to improve the road from Andrew Kennedy's to Holme's.

Twelve pounds to improve the road from Robert Carr's to Wakeham's in a back Settlement.

Ten pounds for the road from Andrew Kinney's to intersect the road from Robert Carr's to Wakeham's.

Sixteen pounds to improve the road from James Jones', above the Little Presqu' Isle to a back Settlement; six pounds one shilling and seven pence of which to be paid to Asa Upton for over expenditure on said road.

Thirty five pounds to improve the road from Burpe's Mills to Boyer's, in Wakefield.

Fifteen pounds to improve the road and Bridges from the School House near Gurney's, past Simonson's, to Charles Palmer's.

Ten pounds for the road from the Head of Little Presqu' Isle Settlement through a Settlement in rear of Jones'.

Fifteen pounds to improve the road from Palmer's to Little Presqu' Isle, and then up it.

Twenty pounds to improve the road from W. Mallory's in a southerly direction to the Grist Mill.

Twenty five pounds to improve the road near Hannah's in Jacksontown, past Payson's Mill, to William Lindsay's.

Thirty pounds for the road from W. Lindsay's, past M'Laughlan's, to a Saw Mill.

Ten pounds to improve the road from William Lindsay's to William Bell's on the Maduxnikick.

Thirty five pounds for the road from or near the late J. Curran's clearing to James M'Grath's or Elijah Brigg's, as the Commissioners may direct.

Twelve pounds to improve the road from James M'Grath's Corner, past William Phillips', to Sherkey's.

Thirty pounds to improve the road from Henry Sharp's, past George Wilson's and Martin's, to Bell's; one fourth part of which to be laid out between Wilson's and Martin's.

Ten pounds for the road from Johnston's to Dunn's.

Ten pounds to improve the road from R. Payson's through to the Upper School House.

Ten pounds for the road from R. Hume's to J. Tracey's.

Twelve pounds for the road from William Malloy's to C. Palmer's.

Ten pounds to open a road from J. Edgar's towards the River Saint John.

GLOUCESTER

GLOUCESTER COUNTY BYE ROADS.

Ninety pounds from the Miramichi Portage to Bass River, through the Gould Grant; out of which eight pounds to be paid Robert Eady for damage occasioned by the road being carried through his garden. Bye Roads in Gloucester.

Forty pounds for the Big Nepisiquid road towards the Babino River.

Ten pounds for widening and improving the road from the Big River road to Little River Bridge.

One hundred and fifty pounds towards a Bridge over the Tettagouche River at Blackstock's Mills, and the approaches; in aid of subscription.

Forty pounds for the Tettagouche Settlement roads.

Fifty seven pounds fifteen shillings for Kinsale and New Dunlop roads.

One hundred and twenty pounds fifteen shillings to finish the Bridge over Doucett's Cove, and approaches.

Fifty pounds for the road through the Youghall Settlement; out of which ten pounds to be paid to Robert Ellis for cutting a drain on the south side of the said road.

Eight pounds for a Bridge for foot passengers over the Peters' River in the rear of Alexander Anderson's.

Twenty pounds from the Main road towards the Landing at Church Point, Little Roche.

One hundred and fifty pounds from Teague's Brook to Bass River.

Eight pounds from Janeville to the shore.

Forty pounds for the roads between Teague's Brook and Waterloo.

Fifteen pounds from the Big Cove to Benjamin Sullivan's.

Thirty pounds from Waterloo to End's Bridge.

One hundred pounds for the road between the Northwest and Southwest Branches of Carraquet River.

Ten pounds for the road to the Garryowen Settlement at Carriboo Creek, Pokemouche.

Sixty pounds for Carraquet Lower Portage.

Fifty pounds ten shillings for the Line between Tracadys and the River Wough.

RESTIGOUCHE COUNTY BYE ROADS.

Fifty pounds for the road from James Christopher's to the Flat Lands. Bye Roads in Restigouche.

One hundred pounds for the road from Flat Lands to the commencement of the Line to be explored to the Upsalquitche River.

Fifty pounds for the road from Christopher's Brook to the Settlement on the Portage road, leading to the Forks of the Upsalquitche River.

Twenty pounds for the road leading to the Sugar Loaf Mountain Settlement.

Fifty pounds for the road from Maple Green to the Settlement in rear thereof.

Twenty pounds for the road from Dalhousie to the Crocker Line.

Eighty pounds for the road from the Settlement at Eel River Forks to the Great road near Dalhousie.

Thirty pounds for the road on the south side of Eel River Gully leading to the Forks.

Twenty pounds for the road leading to the Mountain Brook Settlement on the line between Craig's and Laviolette's.

Ten pounds for the road leading to the Glenburne Mill Settlement.

Forty pounds for the road leading from the Great road to the Settlement at Murdock's.

Fifty

Restigouche Bye
Roads,
Continued.

Fifty pounds for the road leading from the Great road in front of M'Pherson's old place to the Landing at the Bay Chaleur, as adopted by Supervisor Crocker.

Thirty pounds for the road from Nash's Creek to the Settlement in rear.

Thirty pounds for the road to the Doyle Settlement leading in between Lots Nos. 6 and 7.

Ten pounds for the road leading from the Great road to Little Belle Doune Point.

One hundred pounds from Isaac Mann's to Grog Island Brook.

One hundred pounds from Grog Island Brook to the Settlement at the mouth of the Upsalquitche.

Thirty five pounds to explore a Line from Mrs. Kiddel's to the Settlement at the Upsalquitche River, in the Parish of Eldon.

SUNBURY COUNTY BYE ROADS.

Bye Roads in
Sunbury.

Thirty five pounds five shillings for the road from George Boon's to Ralph Seely's.

Five pounds for the road from Isaac Cogswell's to the Garey road.

Ten pounds for the road from George Morrow's house to the South Branch road.

Ten pounds for the road from Jeremiah Smith's to the Garey road.

Ten pounds for the road from Richard Kimball's Farm to John Bell's.

Ten pounds for the road from South Branch road to Scoullar's Mills.

Ten pounds for the road to a new Settlement near Walter Patterson's.

Twenty pounds for the road from South Branch Bridge to Thomas Hartt's.

Twenty five pounds for the road from Thomas Hartt's to Solomon Tracey's.

Forty pounds for the road from Rushagonis to Hartt's Mills.

Fifteen pounds for the road from Hartt's Mills to Diamond Square.

Fifteen pounds for the road from Burpe's Mill through the Gordon Settlement.

Fifteen pounds for the road from William Dow's to J. M. Wilmot's Farm.

Thirty pounds for the road from Rushagonis to William Dow's.

Fifteen pounds for the road from John Bell's to Burpe's Mill.

Ten pounds for the road from the road near Jones', at Rushagonis, to the Oromocto River, opposite John Woods'.

Thirty pounds for the road from Ralph Seely's to the Widow Kirkpatrick's.

Thirty pounds for the road from the Widow Kirkpatrick's to the County Line between Queen's and Sunbury.

Fifteen pounds for the road from Thomas Hartt's to Thomas Mersereau's.

Ten pounds for the road from the South Branch road to John M'Laughlin's.

Twenty pounds for the road from John Peabody's to John Morgan's.

Fifty pounds for the road from the French Lake road to the Little River Mills in the Parish of Sheffield.

Fifty pounds for the road from the Highway in Burton, at or near Jacob Smith's, to the Nerepis road.

Ten pounds for the road from William Boon's to Thomas Stennick's.

Ten pounds for the road from Scoullar's Mills to the Upper Settlement, past Smith's.

Ten pounds for the Bridge at the Blind Thoroughfare.

Ten pounds for the road leading from John Nason's, Senior, Farm to the Rushagonis road.

Five pounds for the road opposite Charles Duplissa's to the Highway in Blissville.

One hundred and five pounds towards paying the amount due for building a Bridge over the North Branch of the Oromocto, near Thomas Hartt's. Sunbury Bye Roads,
Continued.

Ten pounds for the road from John Mersereau's Farm, at Shaw's Creek, to the Oromocto.

Twenty pounds for the road from the Garey road to a new Settlement above Nevers' Mill.

Fifteen pounds from French Lake to Burpe's Mill in Sheffield.

Ten pounds for a road from Patrick M'Laughlin's to the South Branch road.

Fifteen pounds for the road from Jeremiah Tracey's, Junior, to Edmund Creekmore's.

Ten pounds for the road from Solomon Tracey's to John M'Claskey's.

Twenty pounds for the road from Thomas Smith's to John Morgan's, Senior.

Twenty four pounds fifteen shillings to pay Stephen Burpe balance due on Public Wharf or Landing in the Parish of Sheffield.

Ten pounds for the road from Three Tree Creek to the Rushagonis road.

Ten pounds for widening the road at Burpe's Mill Dam in Parish of Burton.

Fifteen pounds for cutting a Canal from the Oromocto River, near Howlin's, to the Susawassis.

Twenty pounds for the road from Oak Point to Queen's County Line.

Fifteen pounds to open a new road on the Line between York and Sunbury to intersect the Petitcodiac Road, provided a similar sum is given from the York County Bye Road money.

YORK COUNTY BYE ROADS.

Forty pounds to improve the road leading from Shaw's to the Howard Settlement. York County Bye Roads.

Ten pounds to improve the road from the Howard Settlement to Dow's Mills.

Ten pounds to improve the road from the River Saint John to the Rosborough Settlement.

Twenty five pounds to improve the road through the Poquiock Settlement to the Magundy, and, if absolutely necessary, a small sum may be expended between it and the River Saint John.

Twenty five pounds to improve the road from Carson's Corner in the Poquiock Settlement to Wilson's Mills.

Five pounds to improve the road through the Poquiock Settlement from the Cross road to the rear of Carson's Farm.

Thirty five pounds to improve the road leading to the Magundy Settlement; all of this, except what may be absolutely necessary to keep the road in repair, after exhausting the Statute Labor, to be expended in improving such part of the new road as requires the same.

Eight pounds to improve the road leading to the Lake George, past Irving's.

Eight pounds to improve the road from the Lake George road to Marlow's in the Moody Settlement.

Fifty pounds to improve the road leading from the Magundy Settlement to the Magaguadavic Settlement.

Ten pounds to improve the road leading to James Brown's.

Fifteen pounds to open a road from the Poquiock to the rear of granted Lands; a sum not exceeding five pounds of which to be expended in exploring the Line through Crown Lands to the Shugomoc Lake.

Twenty five pounds to improve the road connecting the Newmarket and Smithfield Settlements, and through both; three pounds of which to be expended, if the Commissioners think necessary, in improving the road to Abram's.

York County
Bye Roads,
Continued.

Twenty five pounds to remunerate George Long for erecting a Causeway on the road leading to the Smithfield Settlement, and further to improve the said road.

Twelve pounds to open the road leading from the River Saint John to the Settlement on Garden's Creek, in the Parish of Prince William.

Twenty five pounds to improve the road from Grant's to the Campbell Settlement.

Fifteen pounds to open and improve a road from the Campbell Settlement downwards towards Heustis' Mills.

Twenty pounds to improve the road to and through the upper Caverhill Settlement.

Twenty pounds to improve the road to and through the lower Caverhill Settlement.

Fifteen pounds to improve the road from Mitchell's to A. Jackson's, thence to Fleming's.

Forty pounds to improve the road from Adam Jackson's to the River Saint John.

Thirty pounds to improve the road from William Gray's to the mouth of the Mactaquack.

Fifteen pounds towards erecting a Bridge at Currie's Creek; the money not to be expended until the road is explored.

Fifty pounds towards the erection of a Bridge across the Mactaquack; the money not to be expended until the road is explored.

Fifteen pounds to improve the road from Humphrey Sisson's to James Whitehead's.

Twenty five pounds to improve the road from the Keswick through the Tripp Settlement to Whitehead's.

Fifteen pounds to improve the road from Darius Burt's to the upper end of the Settlement, passing Gould Crouse's.

Ten pounds for the road from the School House beyond Moses Lawrence's to William Estey's.

Five pounds for the road from Harris' to the Keswick.

Forty five pounds towards erecting a Bridge across the Keswick, near Estey's; out of which, the balance due the Commissioner for erecting the Bridge at Burt's, to be paid.

Thirty pounds for the road from William John's to the Bird Settlement.

Sixty pounds for the road from the South Branch of the Tay to Stone's; ten pounds of which to be expended in improving the road leading to Stanley, by Mick's, provided Mick gives up his Land; and five pounds to improve the road through Cardigan, if the Commissioner thinks necessary.

Twenty five pounds for the road leading from Cardigan to Stanley, commencing beyond Evan George's Farm.

Ten pounds for the road from the Tay Creek to Larkin's.

Fifteen pounds for the road leading to Charles King's.

Fifteen pounds to assist in improving the road round Clarke's Hill on the Nashwaak to the Meeting House, and at Archibald Clayton's.

Thirty pounds to improve the road from M'Laggan's towards Stanley.

Five pounds to improve the road from the Tay Creek to Campbell's.

Fifteen pounds to improve the road from Hughes' to the Taxes River.

Fifteen pounds to improve the road from the Penniack Mills to the upper end of the Settlement.

Ten pounds to improve the road from the Penniack Mills to Goodspeed's.

Ten pounds to remunerate Jessy Christy for work done at the Mactaquack Bridge, by Allan.

Twenty five pounds for the road leading from the Alms House in Fredericton to the New Maryland Settlement.

Twenty

Twenty pounds for the road leading from the continuation of the road leading to the Glebe.

Fifteen pounds for the road leading from Payne's towards the Attorney General's Farm.

Ten pounds to assist in opening a road from the late Jack Patterson's Cottage towards the College.

Forty pounds for the road to the New Maryland Settlement.

Twenty five pounds to improve the New Maryland road beyond Lawrence's.

One hundred pounds to improve the road from the Rushagonis to the Saint Andrews road.

Ten pounds to improve the road at Berry's Hill beyond the New Maryland School House.

Twenty pounds to improve the road from Morgan's to the Beaver Dam, and to pay Israel Smith the balance due him for work last year performed.

Five pounds to improve the old road leading towards Spring Hill.

Fifteen pounds to improve the road to the M'Leod Hill Settlement.

Ten pounds to improve the road on the south west side of the Rushagonis.

Fifteen pounds to improve the road from the Little Settlement to Hanwell.

Sixty two pounds to improve the road from the Great road to Miramichi to the Nashwaak.

Two hundred and twenty pounds to remunerate Jacob M'Keen for erecting Bridges on the new Line of road in Douglas, and further to improve the said road.

II. And be it enacted, That the said several and respective sums of money, and every part thereof, shall be expended under the direction of such Supervisors and Commissioners as His Excellency the Lieutenant Governor or Commander in Chief, by and with the advice of the Executive Council, may be pleased to appoint, and shall be paid to the several and respective persons who shall actually work and labour in making, completing and repairing the said several roads and Bridges, or in furnishing materials therefor at the most reasonable rates that such labour and materials can be provided; and every Commissioner so to be appointed, shall as early in the season as may be, carefully examine the part of the road where any sums of money is to be expended, and shall lay out and mark off such allotment or allotments as may conveniently be contracted for, in order that the making or repairing of the same may be let by auction to the lowest bidder, and in all such cases such Commissioners respectively are hereby required to put a sufficient number of notices, not less than ten days previous to such sale, in three or more of the most public places in the neighbourhood where the work is to be done, which notice shall specify and describe the work to be performed, and also the place, day and hour when and where the same will be let by auction as aforesaid; and it shall further be the duty of such Commissioners respectively, to attend personally at the time and place so appointed, and there to let out to the lowest bidder such allotment or allotments, and at the same time to enter into written contracts for the faithful performance of the work in time and manner set forth in such contracts; and in cases where the work required to be performed cannot be conveniently let at auction, it shall be the duty of said Commissioners to agree with fit and proper persons to perform the same by days labour, provided that in no case shall more than one quarter part of any grant be so expended; and the said Commissioners shall severally keep an exact account of the expenditure of such monies, and shall produce receipts in writing from the several and respective persons to whom any part of the said money shall be paid, as vouchers for

York County
Bye Roads,
Continued.

Money to be expended under the direction of Commissioners appointed by the Governor with advice of Council.

Duty of Commissioners in expending money.

for such payment, and render an account thereof upon oath, (which oath any one of the Justices of the Peace in the several Counties is hereby authorized to administer,) to be transmitted to the Secretary's Office on or before the first day of December next, to be laid before the General Assembly at the next Sessions.

Money to be paid
by the Treasurer
by Warrant.

III. And be it enacted, That the before mentioned sums of money shall be paid by the Treasurer out of the monies in the Treasury, or as payments may be made at the same, by Warrant of His Excellency the Lieutenant Governor or Commander in Chief for the time being, by and with the advice and consent of Her Majesty's Executive Council; for which Warrants no fee or deduction shall be demanded or taken from the persons in whose favour they may issue.

Compensation to
Commissioners.

IV. And be it enacted, That the said Commissioners intrusted with the expenditure of the said several and respective sums of money, shall for their time and trouble be allowed to retain at and after the rate of five per centum out of the said sums so intrusted to them respectively, together with a reasonable compensation for actual work and labour performed by them on the said several Roads and Bridges.

Money to be ex-
pended before the
first of October.

V. And be it enacted, That the said Commissioners shall expend the several and respective sums of money on the Roads on or before the first day of October; Provided always, that nothing herein contained shall extend or be construed to extend to prevent any Commissioners from expending money after the first day of October, when it shall be necessary to expend the same for building Bridges, removing rocks, stumps, trees or other obstructions.

No money to be
expended on alte-
rations not
recorded.

VI. And be it enacted, That none of the before mentioned sums of money, or any part thereof, shall be laid out or expended in the making or improving any alteration that may be made in any of the said Roads, unless such alterations shall have been first duly laid out and recorded.

CAP. XXXVIII.

An Act to provide for the protection of the Revenue.

Passed 26th March 1841.

£1500 granted for
the protection of
the Revenue.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That it shall and may be lawful for His Excellency the Lieutenant Governor or Commander in Chief for the time being, by and with the advice and consent of Her Majesty's Executive Council, to expend out of the Treasury a sum not exceeding one thousand five hundred pounds for the protection of the Revenue of the Province.

CAP. XXXIX.

An Act to grant a Loan of Six Thousand Pounds to John Walker of the City of Saint John.

Passed 26th March 1841.

Preamble.

‘WHEREAS John Walker, of the City of Saint John, Merchant, is engaged in erecting a Building to be used as a Public Warehouse and for other public purposes, and the said Building will be a great benefit to the public, and part of it is intended for the accommodation of the Province Treasury and Custom House, and the said John Walker is desirous of obtaining a Loan from the Province to enable him to pay off the debts incurred by him in the completion thereof, it is therefore expedient that a Loan be granted to him for that purpose from the Province Treasury;

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That there be and there is hereby granted to the said John Walker of the City of Saint John, the sum of six thousand pounds as a loan to the said John Walker, on interest at and after the rate of six per centum per annum, for the term of five years, in the manner hereinafter mentioned.

Loan granted for five years.

II. Provided always and be it enacted, That before the said sum of six thousand pounds shall be drawn from the Treasury, or any Debenture or Debentures issued as is hereinafter provided, the said Building shall have been completed to the satisfaction of Commissioners to be appointed by His Excellency the Lieutenant Governor or Commander in Chief for the time being to inspect the same; and the said John Walker shall give good and sufficient security to the satisfaction of the Lieutenant Governor or Commander in Chief for the time being, or of Commissioners to be appointed for the purpose of inspecting such security, to the Queen's Majesty, Her Heirs and Successors, for the repayment of the said sum of six thousand pounds into the Treasury of this Province, on or before the first day of January which will be in the year of our Lord one thousand eight hundred and forty seven, and for the payment in the mean time of the annual interest of and upon the said sum of six thousand pounds into the Treasury on the thirty first day of December in each and every year.

Building to be completed and security given for repayment of loan before the money be drawn from the Treasury.

III. And be it further enacted, That in order to raise the money hereinbefore mentioned, it shall be the duty of the Treasurer of the Province for the time being, to prepare, make and issue, or cause to be prepared, made and issued, Treasury Debentures not exceeding in the whole the said sum of six thousand pounds currency, in the manner and form hereinafter mentioned, payable at the expiration of six years after the date of the same, with interest payable annually, at the rate of six per centum per annum, and that the said Debentures shall be numbered according to their classes in numerical progression, beginning with the class number one.

Treasurer authorized to issue Treasury debentures to raise the money.

IV. And be it further enacted, That the Treasury Debentures so to be issued in pursuance of this Act shall be issued as follows, to wit:

Classes of debentures and amounts.

Class A.—Thirty Debentures of one hundred pounds each.

Class B.—Six Debentures of two hundred and fifty pounds each.

Class C.—Three Debentures of five hundred pounds each.

V. And be it further enacted, That when and so soon as the said Building shall have been completed to the satisfaction of the said Commissioners, and the security given as provided and enacted in and by the second section of this Act, it shall and may be lawful for the said Treasurer, and he is hereby required to deliver the said Debentures unto him the said John Walker or his certain Attorney, or his Executors or Administrators; and that the interest to accrue due upon the said Debentures, as well as upon the Loan hereby granted, shall commence upon the day of the date of such delivery and not before.

Debentures to be delivered to J. Walker when the building is completed and security given.

VI. And be it further enacted, That the said Treasury Debentures to be issued by virtue of this Act, and all interest accruing or becoming due thereon, shall be and are hereby made chargeable upon the Treasury of this Province, and paid out of any monies which may be in the same or which shall come into the same after the said Debentures or any interest thereon shall respectively become due and payable; and that the said interest upon the said Debentures respectively, shall be paid annually by the said Treasurer, upon the production of the Debenture upon which interest may be demanded at the Treasurer's Office, and the interest thereon paid being endorsed thereon, and a receipt for the same referring to the said Debenture left with the Treasurer, as a voucher for the payment of the same.

Debentures and Interest made chargeable upon the Treasury.

Interest to be paid annually.

VII.

Returns of the
issue and paying
off of the debentures
to be made.

How to be cancelled.

Interest to cease if
payment be not
demanded within
three months after
the debentures are
payable.

Penalty for counterfeiting
or forging.

VII. And be it further enacted, That the said Province Treasurer so soon as the said Debentures shall have been issued and delivered, shall make a return of the same to His Excellency the Lieutenant Governor or Commander in Chief for the time being, for the information of the Legislature, and that all and every of the said Debentures which from time to time shall be discharged and paid off, shall be cancelled and made void by the party or parties holding the same receipting the said Debenture or Debentures, by stating the amount of principal and interest received on the same, and writing his or their name or names thereon in words at length, and that after the said Debenture or Debentures shall be so paid off, the Treasurer shall as soon after as may be, make a return to the Lieutenant Governor or Commander in Chief for the time being, of the Debenture or Debentures so paid off, for the purpose of being laid before the Legislature at its then next meeting, and that after the audit and approval by the General Assembly of the payment of the said Debentures respectively, the same shall be burnt or otherwise destroyed as being of no further use to the Public Service.

VIII. And be it further enacted, That should the holder or holders of the said Debentures or any of them neglect or refuse to demand payment and satisfaction of the same at the Treasury, on the day on which the same are hereby declared to be payable, or for the space of three calendar months after such day, no further interest shall be payable or be held to accrue due on the said Debenture or Debentures, any thing herein contained to the contrary in any wise notwithstanding.

IX. And be it further enacted, That if any person or persons shall forge, counterfeit or alter any of the said Treasury Debentures issued or authorized to be issued in and by this Act, he, she or they shall be deemed guilty of the crime of forgery, and liable to all the pains and penalties of the same.

FORM OF DEBENTURE.

Schedule A.

Class —

Number —

Treasury,
Province of New Brunswick.

Form of debentures.

Pursuant to the Act of the General Assembly of the Province of New Brunswick made and passed in the fourth year of the Reign of Her Majesty Queen Victoria, by the Grace of God of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, &c. intituled "An Act to grant a sum of six thousand pounds to John Walker of Saint John, Merchant," this Debenture is chargeable on the monies which may be in the Treasury of the said Province, or which may be paid into the same on or after the — day of — which will be in the year of our Lord one thousand eight hundred and — for the sum of — together with interest which may accrue due thereon, at and after the rate of six per centum per annum, the said interest to be paid annually, agreeably to the provisions of the said Act, the said principal and interest or either of them to be paid to such person or persons as shall exhibit this Debenture at the Treasury of this Province, as the same may become payable.

Given under my hand this — day of — in the — year of the Reign of Queen Victoria, and in the year of our Lord one thousand eight hundred and forty —

—, *Provincial Treasurer.*

Debenture £—
Annual interest £—

Schedule

Schedule B.

Received from — Province Treasurer, the sum of — being one year's interest on Treasury Debenture Class — Number — up to the — day of — one thousand eight hundred and forty —.

CAP. LX.

An Act to amend the Act in amendment of the Law relating to Wills, Legacies, Executors and Administrators, and for the settlement and distribution of the Estates of Intestates.

Passed 26th March 1841.

‘WHEREAS in and by the provisions of an Act made and passed in the third year of the Reign of Her present Majesty, intituled “An Act in amendment of the Law relating to Wills, Legacies, Executors and Administrators, and for the settlement and distribution of the Estates of Intestates,” the time allowed for an Executor or Administrator to make application for a licence to sell real estate for the payment of debts is limited to three years after the granting of the Letters Testamentary or of Administration: And whereas it is found necessary to authorize any such application at any time within the period of three years after the passing of such recited Act;

Preamble.
3 Vict. c. 61.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That in any case where the Letters Testamentary or of Administration may have been granted before the time of passing the said recited Act, the Executor or Administrator may at any time within the period of three years from the time of passing such recited Act, apply for and receive licence to sell or lease real estate for the payment of debts in like manner in all respects as if such application and licence had been made within the time prescribed by the said recited Act.

Licence to sell or lease real estate may be applied for at any time within three years after the passing of 3 Vict. c. 61.

II. ‘And whereas it is found convenient and necessary to authorize a Justice of the Peace to administer the oath to Appraisers;’ Be it therefore enacted, That any Justice of the Peace of the County wherein any Warrant of Appraisement shall be issued pursuant to the directions of the said recited Act, may administer the oath to Appraisers in like manner in all respects as the Surrogate or any person authorized to take affidavits to be read in the Supreme Court is by the twenty eighth section of the said recited Act now authorized to administer.

Justices of the Peace authorized to administer the oath to Appraisers.

CAP. XLI.

An Act to amend an Act to incorporate the Central Fire Insurance Company of New Brunswick.

Passed 26th March 1841.

I. BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That so much of the fourth section of an Act made and passed in the sixth year of the Reign of His late Majesty King William the Fourth, intituled “An Act to incorporate the Central Fire Insurance Company of New Brunswick,” as requires the Bonds or other securities given for the payment of the residue of the Capital Stock of the said Corporation to be renewed at least as often as once in three years; and also the whole of the twenty fifth section of the said recited Act be and the same is hereby repealed; and in lieu thereof,

Act 6 Wm. 4, c. 55. s. 4 and 25 in part repealed.

II. Be it enacted, That the said Bonds and other securities, of what nature or kind soever, already taken or hereafter to be taken for the payment of the residue of the Capital Stock of the said Corporation, and all and every and any of them, shall

Bonds taken for the payment of the Capital Stock may be renewed or changed as the Directors may require;

On refusal legal proceedings may be had or stock forfeited.

shall from time to time be renewed or changed, and such further or other security or securities for the same be given as the Directors of the said Corporation or a majority of them shall from time to time require; and in case of any refusal or delay to renew or change any such security or securities, and to give and grant other and further security or securities therefor, to the satisfaction of the said Directors or a majority thereof, within thirty days after notice thereof given, then and in such case it shall and may be lawful to and for the said Directors or a majority of them, to cause such proceedings both in law or equity or either as may be deemed requisite to be taken for the recovery of the amount of such several and respective securities, or it shall and may be lawful to and for the said Directors or a majority of them, if they shall think fit, to declare the shares in the Capital Stock of the said Corporation for the amount of the residue of which such security or securities shall have been given, forfeited to the said Corporation, together with all deposits, instalments, interest, profit or dividends thereto belonging or appertaining, and that such stock so forfeited shall be sold by public auction for and on account of the said Corporation, and the purchaser or purchasers thereof shall give such security or securities for the payment of the amount due to the said Corporation on account of such forfeited shares, at the time of such forfeiture, as is hereinbefore provided, and shall likewise be subject to all the provisions of this Act, and of the said recited Act to which this is an amendment, anything therein contained to the contrary notwithstanding.

6 Wm. 4, c. 55. s. 31, repealed.

III. And be it enacted, That the thirty first section of the said recited Act be and the same is hereby repealed.

Reference in s. 15 to s. 13 in 6 W. 4, c. 55, to be taken as referring to s. 14.

IV. And be it enacted, That the reference mentioned in the fifteenth section of the above recited Act to the thirteenth section of the said recited Act be deemed and taken to refer to the fourteenth section of the said Act, any thing therein contained to the contrary notwithstanding.

Limitation.

V. And be it enacted, That this Act shall continue and be in force for and during the continuance of the said in part recited Act.

CAP. XLII.

An Act to prevent disorderly Riding or Driving on Public Bridges.

Passed 26th March 1841.

Riding or driving on public Bridges faster than a walk.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That if any person or persons, except in cases of extreme necessity, shall ride or drive any horse, mare or gelding in any carriage or other vehicle, or on Horseback, over any of the public Bridges on the Great Roads in this Province, (said Bridges being of the length of one hundred and fifty feet,) at a greater speed than a walk, shall forfeit and pay a sum not less than five shillings nor more than forty shillings, with costs of prosecution, to be recovered on view of any Justice of the Peace in the County where such Bridge may be situated, or by the oath of one or more credible witness or witnesses, and levied by Warrant of Distress and Sale of the offender's goods and chattels, and for want thereof, such offender to be committed to the Common Gaol of the County, there to remain for a time not less than two days nor exceeding eight days, to be specified in the said Warrant; which fines shall be paid into the hands of the Overseers of the Poor for the use of the Poor of the Parish where such Bridge shall be situated; and that any inhabitant of the Parish shall be a competent witness to prove the offence, notwithstanding that the said fine shall be payable for the use of the Poor of such Parish.

Penalty.

Recovery.

Application.

CAP.

CAP. XLIII.

An Act further to alter and amend an Act, intituled "An Act to authorize the widening and enlarging of certain Streets in the City of Saint John, and of laying out other Streets therein."

Passed 26th March 1841.

‘WHEREAS from the various assessments necessary to be made on the Preamble.
 ‘ Inhabitants of the City of Saint John for the present year, it is not
 ‘ deemed advisable to authorize the immediate collection from the Inhabitants of
 ‘ the said City, on the eastern side of the Harbour, of the whole amount of the
 ‘ assessment made and returned by the Report of the Commissioners, to be
 ‘ assessed on the said Inhabitants, under the provisions of the Act of Assembly
 ‘ made and passed in the third year of the Reign of Her present Majesty, inti- 3 Vict. c. 2.
 ‘ tuled "An Act to authorize the widening and enlarging of certain Streets in the 1st Session.
 ‘ City of Saint John, and of laying out other Streets therein," and of a certain
 ‘ other Act in amendment thereof, made and passed in the same year, intituled 3 Vict. c. 83.
 ‘ "An Act to alter and amend an Act, intituled 'An Act to authorize the widen- 2d Session.
 ‘ ing and enlarging of certain Streets in the City of Saint John, and of laying out
 ‘ other Streets therein;'"

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That the assessment or sum of money which, by the Report of the said Commissioners now on file in the Office of the Clerk of the Peace for the City and County of Saint John, is to be assessed on the Inhabitants of the said City of Saint John, on the eastern side of the Harbour, excluding therefrom the Lands, Tenements and Hereditaments within the District in the first recited Act mentioned, and which the Mayor, Aldermen and Commonalty of the said City, in and by the sixth section of the said first recited Act, and in and by the fourth section of the said last recited Act, were and are authorized and required to order and direct to be assessed, levied and collected on and from the Inhabitants of the said City as aforesaid, the said Mayor, Aldermen and Commonalty of the said City, in Common Council convened, shall and they are hereby authorized and required to order and direct to be assessed, levied, collected and paid upon the Inhabitants aforesaid, excluding as aforesaid, in manner following, that is to say:—one half thereof, together with the charges of assessing, levying and collecting the same, to be assessed, levied, collected and paid from and after the passing of this Act, in such proportions and in the same manner as any rates for public charges are or may be assessed, levied, collected and paid, under and by virtue of any Act or Acts made or to be made for assessing, levying and collecting rates for public charges; and the remaining half thereof, together with the charges of assessing, levying and collecting the same, to be assessed, levied, collected and paid from and after the expiration of one year from the passing of this Act, in such proportions and in the same manner as any rates for public charges are or may be assessed, levied, collected and paid as aforesaid.

Assessments ordered to be made under recited Acts to be made as herein specified.

One half after the passing of this Act, and the other half after the expiration of one year thereafter.

CAP. XLIV.

An Act to establish a Provincial House of Correction.

Passed 26th March 1841.

‘WHEREAS by virtue and under the authority of several Acts of the Preamble.
 ‘ General Assembly of this Province, namely, an Act made and passed 6 W. 4, c. 50.
 ‘ in the sixth year of the Reign of His late Majesty King William the Fourth,
 ‘ intituled "An Act to authorize the Justices of the Peace in and for the City
 ‘ and County of Saint John to erect a building in the said City for a Common
 ‘ Gaol and House of Correction, and to raise a sum of money for erecting and
 ‘ completing

7 W. 4, c. 19.

‘ completing the same;’ and also an Act made and passed in the seventh year of the
 ‘ reign of His said late Majesty, intituled “An Act in amendment of an Act, intituled
 ‘ “An Act to authorize the Justices of the Peace in and for the City and County
 ‘ of Saint John to erect a building in the said City for a Common Gaol and House
 ‘ of Correction, and to raise a sum of money for erecting and completing the
 ‘ same;’ ” and also an Act made and passed in the first year of the Reign of Her
 ‘ present Majesty Queen Victoria, intituled “An Act to authorize the Justices
 ‘ of the Peace in and for the City and County of Saint John to establish a House
 ‘ of Correction for the said City and County, and to extend the provisions of two
 ‘ Acts of Assembly to the same;’ ” and also an Act made and passed in the second
 ‘ year of the Reign of Her said Majesty, intituled “An Act to provide for the
 ‘ government and regulation of the House of Correction for the City and County
 ‘ of Saint John,” a suitable building has been erected in the Parish of Simonds,
 ‘ in the County of Saint John, and a House of Correction is now established in
 ‘ the manner contemplated by the said recited Acts: And whereas the said esta-
 ‘ blishment in its operation is found to be highly advantageous to the interests of
 ‘ the City and County of Saint John, and it is advisable to extend the benefits
 ‘ thereof to the Province at large;’

1 Vict. c. 16.

2 Vict. c. 30.

A full statement of
 all accounts rela-
 ting to the erection
 of the House of
 Correction to be
 made up, and at-
 tested to;

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That Her Majesty’s Justices of the Peace for the said City and County of Saint John, shall, and they are hereby required, as soon as conveniently may be after the time appointed for this Act to go into operation, to cause to be prepared a full and correct statement of the accounts relating to the erection and establishment of the said House of Correction, exhibiting the various sums taken on Loan, according to the provisions of the said recited Acts or any of them, the times when and the persons from whom the said amounts were borrowed, the notes or certificates given for the same and the numbers thereof, the mode in which the said sums have been expended, the whole cost of the building, and generally, a complete statement of all the costs and charges incidental to the erection and establishment of the said House of Correction; which said statement shall be verified by the oath of the Committee who had the management of the erection of the said building, or by the oath of one of them, made before any Justice of the Peace for the said City and County.

To be forwarded
 to the Lieutenant
 Governor and ex-
 amined by Com-
 missioners.

II. And be it enacted, That when the said statement of accounts shall be prepared in manner hereinbefore stated, the said Justices shall cause the same to be forwarded to His Excellency the Lieutenant Governor or Commander in Chief for the time being, who shall thereupon by and with the advice of the Executive Council, nominate and appoint three fit and proper persons to be Commissioners to examine the said statement and all accounts connected with or relating to the said House of Correction.

On report of cor-
 rectness the Mayor
 of the City to be
 notified and Jus-
 tices to declare the
 land &c. to be
 vested in the
 Queen.

III. And be it further enacted, That so soon as the said Commissioners shall have examined the said accounts and shall have reported to His Excellency the Lieutenant Governor or Commander in Chief for the time being, that the same are correct, the said Lieutenant Governor or Commander in Chief shall give notice thereof to the Mayor of the City of Saint John, and thereupon the said Justices of the Peace for the said City and County shall and may, and they are hereby authorized and required, so soon as may be thereafter, at any General Sessions of the Peace or at any Special Sessions to be for that purpose convened, to declare, order and direct that all the land, tenements and hereditaments held by them the said Justices for the site and purposes of the said House of Correction, shall be deemed and taken to be vested in the Queen’s Majesty, and the same shall
 forthwith

forthwith, upon the making of the said order and the entry thereof in the Minutes of the said Sessions, be vested in and held by Her said Majesty, Her Heirs and Successors for ever, without any further Act or any Deed or Conveyance whatsoever.

IV. And be it further enacted, That the said debt or sum which may be due and owing for the erection of the said House of Correction and grounds, and for which County Debentures may have been issued, shall be paid by the Treasurer, with interest that has accrued and may accrue thereon, out of the monies in the Treasury, or as payments may be made at the same, by warrant of His Excellency the Lieutenant Governor or Commander in Chief for the time being, by and with the advice and consent of Her Majesty's Executive Council; Provided always, that no greater sum of money than four thousand pounds shall be drawn from the Treasury nor any greater sum than five hundred pounds in any one year for this purpose.

Debt owing for the erection to be paid by the Province Treasurer by Warrant of the Lieutenant Governor.

Amount limited.

V. And be it further enacted, That it shall and may be lawful to and for the Lieutenant Governor or Commander in Chief, by and with the advice of the Executive Council, from time to time to appoint not less than five nor more than nine fit and proper persons to be Commissioners for the said House of Correction, of whom one shall be a member of the Court of Sessions of the Peace in and for the said City and County, and one a member of the Common Council of the said City of Saint John; and such Commissioners or any of them to remove and others in their places from time to time appoint as aforesaid; which said Commissioners shall be sworn to the faithful discharge of their duties before any Justice of the Peace in and for the said City and County; and the said Commissioners shall meet from time to time at such place or places within the said City and County as may be for that purpose named, and then and there, by a majority of votes of those present at any appointed Meeting, decide all questions and manage all business touching the said House of Correction, and any three of the said Commissioners shall form a Board for the transaction of business, except as hereinafter provided; and that the first person named as Commissioner shall be Chairman of the Commissioners, and in case of his absence from any meeting, the Commissioners met shall out of their number choose a Chairman for the time being; and that the Chairman, or in case of his sickness or absence, any two of the said Commissioners shall have power to summon a Meeting of the said Commissioners for the transaction of business by causing a notice to be left at the usual place of abode of each of the said Commissioners of the time and place of such Meeting.

Commissioners for the House to be appointed.

To meet and manage all business relative to the House.

Commissioner first named to be Chairman.

Meetings, how to be called.

VI. And be it further enacted, That it shall and may be lawful for the said Board of Commissioners at any and at all times to make rules for the government of the said House of Correction, and for the care and superintendence of the Prisoners, and for the duties of the keepers and officers of the said establishment, and the said Board of Commissioners are hereby required forthwith on the making of any such rule or rules to transmit a copy thereof to the Lieutenant Governor or Commander in Chief for the time being, and it shall be lawful for the said Governor or Commander in Chief for the time being, with the advice of the Executive Council, at any time or times to amend any such rule or rules, and also to annul the same or any of them, and all such rules so made or amended shall be binding on all persons whomsoever; printed copies of which rules and regulations shall be posted up in some conspicuous place in the said House of Correction; and no rule which shall be made after the time appointed for this Act to go into operation, for any of the purposes aforesaid, shall be of any force until it shall have been approved of by the said Lieutenant Governor or Commander in Chief, and no rule for any of the purposes aforesaid which shall be annulled by the authority aforesaid shall thereafter be of any force or validity.

Commissioners empowered to make rules subject to the revision of the Lieutenant Governor in Council.

Printed rules to be posted up.

VII.

Copies of all rules
to be laid before
the Legislature.

VII. And be it further enacted, That a copy of all rules made, amended or annulled under the authority of this Act shall be laid before the Legislative Council and the House of Assembly, and each of them respectively, by the Lieutenant Governor or Commander in Chief, within twenty days after they shall have been so made, amended or annulled, if the Legislature shall then be sitting, or if the Legislature shall not then be sitting such copy shall be laid before the Legislative Council and the House of Assembly, and each of them respectively, within twenty days after the commencement of the then next Session of the Legislature.

Commissioners
empowered to ap-
point officers &c.,
and furnish pro-
visions &c.

VIII. And be it further enacted, That the said Board of Commissioners shall have full power and authority at any and at all times to nominate and appoint all requisite officers, other than the Commissioners appointed, servants and keepers, in and about the said House of Correction, and them and every of them to remove; and also shall and may provide and furnish all such provisions, materials and things as may be judged necessary as well for the support and maintenance as for the setting to work and employing the said Prisoners or any of them, and also shall have full power and authority to enforce and carry into effect the rules, orders and regulations which may from time to time be made as hereinbefore mentioned, for the government and management of the said establishment; Provided always, That at any meeting of the said Commissioners at which any officer, keeper or servant may be appointed or removed, there shall not be less than five Commissioners present, and the said Commissioners shall cause a Record of all their proceedings to be kept in a Book to be provided for that purpose.

Record of proceed-
ings to be kept and
five Commission-
ers to be present
when officers &c.
are appointed.

Commissioners to
appoint visitors
out of their own
body.

IX. And be it further enacted, That it shall be the duty of the said Board of Commissioners, and they are hereby required to nominate two or more of their own body (who shall consent thereto) to be Visitors of the said House of Correction, and one or more of the said Visiting Commissioners shall personally visit and inspect the said House of Correction at least once in each month, and oftener if occasion shall require, and shall examine into the state of the buildings, so as to form a judgment as to the repairs, additions or alterations which may appear necessary, strict regard being had to the separation, classification, inspection, instruction, employment or hard labour of the Prisoners, and shall further examine and inquire into the behaviour and conduct of the respective officers, and the treatment, behaviour and condition of the Prisoners, the means of setting them to work, the amount of their earnings, and the expenses attending the establishment, and of all abuses within the same; and at every meeting of the Board of Commissioners the Visiting Commissioners shall make a Report in writing of the state and condition of the said House of Correction, of what repairs, alterations or additions shall have been made or may be required, and of any abuse or abuses which they may have observed, or of which they may have received information, as well as of the general state of the Prisoners as to morals, discipline, employment and hard labour and observance of rules; and the said Board of Commissioners shall proceed to consider every such Report and to act forthwith as they may see occasion.

Their duty.

Any Commis-
sioner may ex-
amine the House
without being ap-
pointed a visitor.

X. Provided always nevertheless, and be it further enacted, That it shall be lawful for any one of the said Commissioners at his own free will and pleasure, and without being appointed a Visitor, to enter into and examine the said House of Correction at such time or times and so often as he shall see fit, and if he shall discover any abuse or abuses therein, he is hereby required to report them in writing to the said Board of Commissioners at their next meeting.

XI. And be it further enacted, That the said Board of Commissioners shall annually

annually, before the first day of January in each and every year, cause a full, complete and perfect statement of the state and condition of the said House of Correction and all the persons therein and the mode in which each has been employed during the year, and also a just and detailed account of all receipts and expenditures for and on account of the said House of Correction, to be transmitted in triplicate to the Lieutenant Governor or Commander in Chief for the time being, for his information and for the information of the Legislature, which statements and accounts shall be verified by the oath of one of the said Commissioners at least, who shall swear that the same are correct and true, according to the best of his knowledge and belief.

A statement of the condition of the building and of all accounts to be made up annually and laid before the Legislature.

XII. And be it further enacted, That all the proceeds arising from any work or labour to be performed in the said House of Correction or under the direction of the said Commissioners shall be duly accounted for by them, and shall be applied towards the support and maintenance of the said House of Correction.

Proceeds of labour performed to be accounted for.

XIII. And be it further enacted, That neither of the said Commissioners shall receive any compensation or allowance, directly or indirectly, for his services as such, nor shall either of them be capable of holding any office, place or employment in, about, connected with or arising from the said House of Correction, for or by means of which any salary, fee, emolument, compensation or perquisite can be derived, nor shall any Commissioner be engaged or interested in any way whatever, either as security or otherwise, in any contract for or on account of the said House of Correction.

Commissioners not to receive any compensation, nor hold office in the House, having emoluments attached to it.

XIV. And be it further enacted, That it shall and may be lawful for the Mayor, Recorder and the Aldermen of the said City, or either of them, and Her Majesty's Justices of the Peace for the said City and County for the time being, or either of them, to take up and arrest, or by warrant to order to be taken up and arrested, all and any rogues, vagabonds, stragglers, idle, suspicious, or disorderly persons within the said City and County, and to order such rogues, vagabonds, stragglers, idle, suspicious, or disorderly persons to be committed to the said House of Correction, there to remain and be kept to hard labour for any time not exceeding forty days.

Rogues, &c. may be arrested and committed to the House of Correction.

XV. And be it further enacted, That it shall and may be lawful for the Justices of the Peace in and for any County or City and County of this Province, in General Sessions or in any Special Sessions to be for that purpose held, to cause all Prisoners sentenced to imprisonment with hard labour, and all vagrants, rogues, vagabonds, stragglers, and other idle, suspicious or disorderly persons at such time in confinement in the Common Gaol or Workhouse of the said County or City and County, under and by virtue of any conviction, to be removed from such Common Gaol or Workhouse, and to be carried, conveyed and taken to the said House of Correction, and to make such necessary orders and regulations for the carrying, conveying and taking such persons, together with the necessary costs and charges of the same, as to them the said Justices may seem fit, and the Keeper of the said House of Correction shall forthwith receive such person or persons into his custody, and the said person or persons when so removed and placed in the said House of Correction shall remain there and be kept to hard labour until the several and respective terms of imprisonment shall expire.

Prisoners sentenced to hard labor in any County may be removed to the House of Correction.

XVI. And be it further enacted, That the said recited Acts be and the same are hereby repealed, saving and excepting all penalties, forfeitures and legal liabilities created thereby.

Recited Acts repealed, except as to penalties.

XVII. And be it further enacted, That this Act shall take effect and go into operation on the first day of April which will be in the year of our Lord one thousand eight hundred and forty two.

Commencement of Act.



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